

CONSTITUENT ASSEMBLY ELECTION 2008

OBSERVATION REPORT



आम निर्वाचन पर्यवेक्षण समिति, नेपाल
GENERAL ELECTION OBSERVATION COMMITTEE, NEPAL (GEOC)

General Election Observation Committee, Nepal

Executive Committee



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Chairperson
Election Observation Foundation–Chairperson



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Member Secretary
Nepal Law Society–Executive Director

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Foreword

Owing to political agitations and insurgencies launched during the last five decades in different phases, and, in particular, the historic people's movements that were staged in the years 2006/2007, sovereignty and the power to govern have now been vested in the people of Nepal.

The universally accepted medium for enshrining the sovereignty of the people is election to the Constituent Assembly. Thus, the election of members of the Constituent Assembly, which recently took place, marks the beginning of a new era in the political history of Nepal. The sacrifice by martyrs and contribution of innumerable participants of the people's movement will always be remembered.

Nepal's Constituent Assembly has the historic responsibility for establishing the sovereign, independent, united, inclusive and secular Federal Democratic Republic of Nepal. We Nepalese ourselves will draw up the Constitution of Nepal for our governance. Our Constitution should reflect the voices of all Nepalese so that they would own it. General Election Observation Committee (GEOC) deemed it a golden, opportunity to observe the election to such an epoch-making Constituent Assembly, and undertook the assignment in right earnest.

Under the auspices of the network of seven non-governmental organizations, namely, Nepal Law Society, International Commission of Jurists, Nepal, Election Observation Foundation, Nepal Press Institute, Nepal Citizen's Forum, Retired Civil Servants Association and Rural Development Foundation, 35 national level, 35 district level, 70 election constituency level, 79 municipality level and 683 village development committee level observers were deployed to monitor the election in 35 districts covering 70 election constituencies. The report has been prepared incorporating, *inter alia*, the conclusions of the monitoring exercise and suggestions for future election. An attempt has been made to include in this report brief information on the genesis of the concept of Constituent Assembly in Nepal, people's agitations for it, provision for the Constituent Assembly election in the Nepal Interim Constitution, 2007, legislation, regulations, directives and the code of conduct pertaining to election.

In chapter 4, observation reports covering important aspects of the election received from the 35 districts monitored by us have been presented. At the end of this chapter, we have appended a summary chart of the key features of the election environment. In sum, compared with the general elections held earlier, although the Constituent Assembly election exercise was conducted freely and fairly on the Election Day, the security arrangement was inadequate, political violence increased, breach of the code of conduct was noticeably more, and election in most of the election constituencies took place under the domination of one party or the other. All political parties, organizations and observation networks that will be involved in future election should be wary of such undesirable tendencies.

I wish to place on record my special thanks to those who made outstanding contribution to our election monitoring campaign, namely, Member Secretary Mr. Krishna Man Pradhan, Programme Coordinator Mr. Bikash Ghimire, all members of the Executive Committee, and all observers. Also, I wish to express my warm thanks to Assistant Professor Mr. Bhesnath Sapkota and Mr. Rabindra Nath Bhattraai and Advocate Mr. Sashi

Kumar Upadhyaya who drafted the preliminary and final reports with commendable diligence and professional skill, to Assistant Professor Mr. Fanindra Niraula for editing the language of the reports, and to Mr. Bhawani Kayastha for designing and computer typing the reports. Fond memories of my involvement in monitoring four elections together with our numerous observers will always be cherished by me. As an octogenarian, I may not be able to actively participate as observer in the next election.

We are obliged to the Election Commission for giving permission to our network to observe the election and for aiding us by making the relevant material available and facilitating our activities, to District Administrators, District Election Officers, political parties, candidates, other observers, journalists and members of the civil society for their valuable cooperation.

On behalf of GEOC, I wish to extend our heartfelt thanks to the Canadian Cooperation Office and the Embassies of Denmark and Norway for funding our observation programme and publication of Final Report. We offer kudos to Mr. Kusum Shrestha, Senior Advocate and chairperson of Nepal Law Society for extending whole hearted cooperation to GEOC to set up its secretariat in the office of the Nepal Law Society. Two officers manning the GEOC secretariat, Ms. Sujan Lopchan and Mr. Subash Poudel and the Finance officer Mr. Ganesh Man Pradhan, as well, deserve copious thanks. The inputs from the secretariat staff Ms. Kabita Shah, Mr. Sanjay Shrestha and Ms. Maya Thapa have been commendable. Finally, I wish to record GEOC's gratitude to Mr. Gokul Pokharel, Dr. Mohan Lohani, Dr. Som Prasad Pudasaini for their valuable contribution to finalize the English report and all Nepalese and foreign co-observers for working shoulder to shoulder with us and making the task of election observation a success.

July, 2008

Himalaya Shumsher J.B. Rana
Chairperson
General Election Observation Committee

Executive Summary

General Election Observation Committee (GEOC): An Alliance

GEOC is an alliance of seven Civil Societies viz. Nepal Law Society, International Commission of Jurists/Nepal, Retired Civil Servants Association, Election Observation Foundation, Nepal Press Institute, Nepal Citizens' Forum and Rural Development Foundation. This alliance observed parliamentary elections held in 1991, 1994 and 1999 and local elections in 1992 and 1997.

Intellectuals, professors, lawyers, social workers, ex-ambassadors, ex-UN representatives and human rights activists participated as GEOC observers for the Constituent Assembly (CA) election held on April 10, 2008.

Objective of the GEOC

The objective of GEOC is to impartially observe and report on the CA election. Our observation programme covered 35 Districts, 70 Electoral Constituencies, 79 Municipalities and 683 Village Development Committees (VDCs). A total of 902 observers, including 35 national observers were engaged in our mission.

Some 20 observers in each VDC and Municipality level were engaged in the constituency level election. Two observers were deployed as district and constituency level observers. A total of 35 national observers were assigned to 35 districts covered by our observation.

Training of Observers

Orientation program was conducted in Kathmandu for national and district level observers to share objectives, methodologies and responsibilities of the observers. Election expert, constitution expert, lawyers and professors involved as a resource person in the training. The Orientation Manual specially crafted for the CA election was distributed during the program. Local level orientation was organized at each district selected for the observation for local observers.

Observation Report

The report has been prepared based on the completed questionnaires. There were five structured questionnaires: (1) Questionnaire to Voters, (2) Questionnaire to Polling Officers, (3) Questionnaire to Political Workers, (4) Questionnaire to Vote Counting, and (5) Questionnaire to Observers.

Level of Voters' Awareness

Of the 35 districts covered, voters' awareness was high (60%) in the majority of the districts, medium awareness (27%) in some districts, and low awareness (12%) only in a few districts.

Voters Commitment

In the majority of the districts, voters' commitment was high (73%). Low commitment (14%) was noted only in a few districts.

Management of Polling Center

Respondents said 30 percent of the polling centers were very well managed, 20 percent were ordinarily managed, and 12 percent were not properly managed.

Code of Conduct

The code of conduct was found violated in most of the polling centers (92%). Posters, party gates, logos used by the political workers, abuse of vehicle, and excessive expenses are examples of the breach of the code of conduct.

Security Situation

Political understanding and commitment to election by the political parties have mainly contributed to peaceful election. The so-called revolutionary groups of Terai were suppressed by the security personnel. The presence of security personnel in other parts of the country was only symbolic. Mobile security teams mobilized in the Terai was effective.

Political Violence

There were numerous cases of fighting, disputes, confrontations, use of weapons and human casualty. In some election centres, voters were seen fighting over the ballot boxes. Water was thrown on the ballot papers and the election had to be postponed. In a few places major parties even sought to conduct the election.

In Terai, the Madheshi parties influenced the election. The Maoists influenced the election in most districts. Other party representatives, observers and candidates' could not assert their role due to the domination of the Maoists. Only the Maoists had concrete agenda for the CA election. Voters wanted peace and deemed that the Maoists would bring peace. So people cast more votes for Maoists.

4514 voters responded from 35 districts. Also there were responses from 2607 polling officers about the election. While 3,120 political workers responded about the election, 1034 observers provided information on its conduct. In total, 11275 voters responded regarding the CA election. Data were decoded and analysis was done by Excel programming and disseminated. All analyses and data are presented in the table and graph.

Reports were prepared on different districts on the basis of the information collected by local level observers.

Voters

Observers collected information from 4514 voters. The highest number of such voter respondents i.e. 247 were in Kailali (5.5%) whereas the lowest i.e. 61 were in Siraha (1.4%). There were two types of voters: rural and urban. According to local observers, while 5.2 percent voters were from the rural sector, 12.1 percent voters came from urban areas. Majority of the voters (96.9) knew about the voting procedure and only 2.2 percent had no briefing about the election procedure. The source of information about the election procedure was the media (49.23%). Political parties were also the main source of information (35.84%).

Difference between the Past and the Present Election

Voters were interviewed about the differences between general elections, local elections, and the Constituent Assembly election. Majority of the voters' (40.16%) said that the CA election was different from the past elections. 35.5 percent of the voters remarked that the ballot paper was different. Some respondents (13.15%) also remarked that the method of canvassing was different in this CA election. Voters were interviewed regarding the result of the CA election, and 57.48 percent of the voters responded that it asserted peoples' sovereignty. 28.55 percent agreed that the end of political conflict would contribute to economic progress.

Election

Majority of the voters (75%) said that the election was fair, whereas some voters (6.33%) were of the view that the election was not fair, and response was not received from 17.32 percent of the voters.

Warning, Intimidation, and Monetary temptation to voters

To 92.49 percent of the voters, there was no warning, threat, and monetary offer to vote. Some 5.89 percent of the voters opined that the political workers used warning, intimidation and monetary temptation.

Inspiration for Election

Asked how they were inspired to take part in the CA election, voters responded communication media as the primary source (34.54%), then political workers (28.45%), canvassing material (19.92%), family members (13.16%), and non-governmental organizations (4.22%), respectively, were the major sources of their inspiration.

Polling Officers

Polling officers deputed to 35 districts were interviewed numbering 2607. The maximum (6.3%) number of polling officers interviewed were from Kailali district, the lowest number (0.5%) were from Mugu district. Of those interviewed, 84% were from the rural areas and 14.8% from the urban areas.

Polling Officers were questioned about their experience in conducting the polls. Majority (86.45%) of them found it easy. 21.14 percent of the officers mentioned the difficulty they encountered because of name, age and other details were not properly mentioned in the electoral rolls. Some (19.12%) answered that there was lack of adequate security. 13.08 percent of the respondents had no knowledge about the voting procedure, while 11.74 percent mentioned dispute among the voters, 7.04 percent complained of lack of trained staff. Likewise 6.71 percent of the officers mentioned non cooperation from volunteers and 4.69 percent complained of lack of election material.

Majority (74.64%) of the polling officers reported that the election was free. A few (22.17%), however, found it unsatisfactory. Some (1.84%) informed that the CA election was something similar to the previous elections. When asked what kind of cooperation they got from political parties, majority (64.27%) of polling officers answered they got good cooperation from all political parties. Some (17.56%) opined that the multi-party consensus that they reached was effective. Polling became smooth because many polling officers had convened before the polling day a meeting of volunteers and representatives

of different political parties at which consensus was reached on measures to be taken to correct errors in electoral rolls and the voters' list.

The maximum number of polling officers (5233) reported that the political parties had violated the code of conduct. While some (15.88%) blamed candidates for the violation, some (4.47%) mentioned that observers had violated as well.

Political Party Workers

In 35 districts, 3120 political party workers were interviewed. Most of the political workers (96.8%) answered that they knew about the election process. Very few (1.18%) did not know about the election process. Most of the political workers (87.62%) answered boldly, only few (8.48%) refused to answer. Majority of political workers (39.72%) observed that the code of conduct was violated, and 22.97% of political workers complained about incomplete electoral rolls. Thus the pre-election environment was not fair. 16.48% of the political workers knew about the ceiling on election expenses. Majority of them (33.99%) blamed political parties for rigging the election. Very few (23.12) pointed out that candidate and their supporters were responsible for rigging. 15.81% of the political workers attributed rigging to government and security institutions. CA election was held peacefully and on the basis of multiparty consensus. The notably high percentage of voters' participation, as against pre-election speculation, is a positive aspect of this CA election.

Location of polling station

Observers questioned whether the polling stations were situated in a convenient or suitable location. To 92% voters, polling stations were located in suitable places. 7% voters disagreed. Regarding security management, 83% of the voters expressed satisfaction, 15% respondents were not satisfied. 94% of the Observers confirmed that polling was conducted on a queue basis. 94.5% of the observers reported that secret vote-casting tables were placed in a proper manner. Assignments of assistant polling officers, and volunteers were proper. 86.46% of the observers expressed the views that the code of conduct was violated within 200 meters of the polling station. 30% of the observers mentioned satisfactory arrangement of security personnel at the polling station, 24 percent found it normal and 1% of the Observers reported that security management was not good. To 86% observers, security management was good for free movement of voters on polling day, 13% were against this version. 92.62% of the voters had easy excess to polling station. 2% faced obstruction to enter the polling center. 3.29% of the observers got opportunity to enter the polling center latter. While most of the polling centers were opened at 7 a.m., 13 polling centers (1.26%) were opened at 8 a.m.

Description of Polling Process

8.5% of the observers reported that they had observed the Ballot Box before the poll started, but 9% observers had not. There was no response from 6% of the observers. Most of our observers that is, 87.04% observed the seal number, 8.32% had not done this job, and 4.64% did not answer. Some voters could not cast ballot because their names were not recorded in the electoral rolls. Physically impaired and disabled voters got priority only partially.

95.84% persons reported that permanent ink was rubbed on their thumbs immediately after they got ballot paper. While 75 percent confirmed that there was signature on ballot

paper, 2.90% did not answer. 98% of voters said that secrecy was maintained in affixing the vote, whereas 2.5% voters expressed their views that there was not plenty of secrecy. There was no response from 2.7% of the voters.

According to most of the observers (93.23%), unauthorised persons were not present in the secret voting area. 2.61% reported that unauthorised persons were present in the secret area. 8.8% got opportunity to cast their votes although their names were not enrolled in the electoral rolls. Some voters said they waited in the queue and got the ballot paper but the work of ascribing the symbol was done by others.

Proxy Vote

224 persons (21.66) out of 1034 voters complained that their votes were cast by others. Approximately 52 voters (5%) confirmed that the polling process was interrupted due to unfavorable situation, 5% reported that they were waiting in the queue after 5 pm. Most of the respondent (86%) observed the Ballot Box during sealing and noted the seal number.

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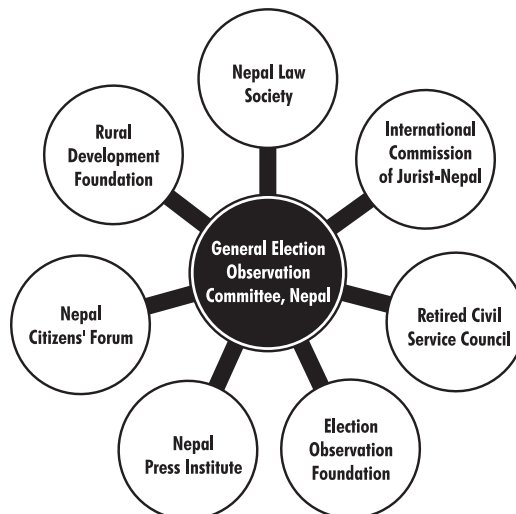
Structure of the Alliance and Observation

1.1 Introduction

General Election Observation Committee Nepal (GEOC) is an alliance of active NGOs, which has observed all elections held in Nepal since 1991 to ascertain whether they are free and fair. Its mission has been to ensure fairness in election and maintain coordination between and among election and observation officials. Presently, GEOC members include Nepal Law Society, International Commission of Jurists, Nepal, Retired Civil Service Council, Election Observation Foundation, Nepal Press Institute, Nepal Citizen Forum and Rural Development Foundation. It is widely known that GEOC observed and reported on election to the House of Representatives in 1991, 1994 and 1999 as well as the local elections of 1992 and 1997. Independent intellectuals, former UN representatives, legal experts, social workers and human rights activists were engaged in the election observation program of GEOC.

1.2 Purposes of the Alliance

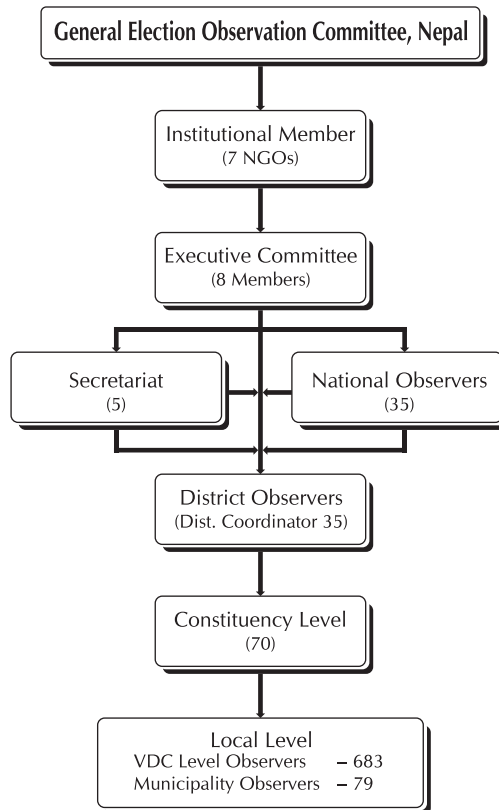
The purpose of the Alliance is to impartially observe the Constituent Assembly Member Elections held on April 10, 2008 and report on whether it was free and fair. Satisfactory implementation or violation of the electoral laws, regulations and directives pertaining to the Constituent Assembly Member Elections has been



objectively evaluated through GEOC's observation program. Our observation covers the whole electoral cycle beginning from nomination of candidates to ending of the vote counting and results.

1.3 Institutional Structure of the Alliance

There are eight members in the Executive Committee headed by Mr. Himalaya Shumsher J.B. Rana. Five staff members serve the secretariat. There is a National Council comprising 35 National Observers, who oversees 35 District Observers, 70 Electoral Constituency Observers and 762 local level Observers. Altogether 902 observers are involved in our program.



1.4 Responsibility of the Alliance

GEOC has compiled and published pre-election, election-day and post-election observation reports and submitted them to the Election Commission and other concerned stakeholders. They have also been publicized by the media following our Press Conference.

1.5 Secretariat

GEOC central secretariat is located in the office of the Nepal Law Society situated at Anam Nagar, Kathmandu.

1.6 Activities of the Alliance

A. Pre- Election Observation

1. A central secretariat was established and necessary human resources were mobilized.
2. National Observers and District Observers were appointed to form observers' network, and were given orientation.
3. For each district, Constituency Level Observers, VDC Level Observers and Municipality Level Observers were appointed.
4. Frequent monitoring was done from the secretariat to make observation effective and easy.
5. Co-ordination and sharing of experiences was done among different observation alliances.
6. Orientation program was organized at the central level for national and district level observers to perform as trainers, and a CA election manual was prepared and distributed among those observers.
7. Interaction and sharing programs were held with representatives of political parties, government, civil society and Election Commission.
8. Local level training was conducted by national and district observers in respective districts.

B. Election Observation

1. CA election was observed in national, district, constituency, municipality and village development committee level by National, District, Constituency, and Local Level Observers who constituted corps of the GEOC alliance, focusing on the key aspects of the election spelled out in GEOC Questionnaires.
2. On CA Election Day, National and District Level Observers were assigned to monitor the work of local level Observers.

C. Election Observation Report

1. Vote counting was observed after polling.
2. After observation of polling and counting, observers' forms or completed questionnaires were collected from all levels and the report was prepared by analyzing the data so collected.
3. A Preliminary Report was submitted to Donors, Election Commission, other observation alliances, and other stakeholder within 15 days of the CA election.
4. The Final Report was published after comprehensive review by the Working Committee and Chairperson, Mr. Himalaya Shumsher J.B. Rana. The report was submitted to Election Commission, government, other observation alliances, civil society, political parties and the media.
5. The findings and recommendations were discussed and shared among the commissioners of Election Commission and executive members of GEOC. It is pertinent to mention that sincere commitment was shown by the Commissioners to consider the report in the future elections. ■

2.1 Importance of Observation

GEOC observed and published its observation report on the parliamentary election held in 1999. Some of our recommendations were noted and electoral laws crafted to embody them. In a dynamic society new technology and new rigging methods are used in successive elections. So election observation is imperative to keep abreast of new violations. Impartial observations help to ensure free and fair environment for election. CA election was held for the first time in our national history. Thus observation of this election is of utmost importance. Observation report and recommendations regarding the CA election in Nepal can provide good lessons for election in the SAARC region.

2.2 Brief about observers

35 National Observers and 35 District Observers involved as a long-term observers. 70 Constituency level Observers, 762 local level Observers worked as short-term observers. In total, 902 Observers were engaged for the observation. The training programs were conducted for long-term and short terms separately in each district. The training manual has been prepared as a hand book and distributed to all observers. The manual highlighted about the GEOC, constitution and democracy, constituent assembly, election and election related laws, process of the observation, duties of the observers, format of the report.

Experience of national level observers

Table of Work Experiences of National Observers

S.N.	Experiences	Female	Male	Total
1	Former UN Representatives		2	2
2	Lawyers	4	7	11
3	Ex. Senior government officials		3	3
4	Professors	1	6	7
5	Human Rights Activists		1	1
6	Ex. Vice-chancellor		1	1
7	Civil Society Leaders		3	3
8	Social Workers		1	1
9	Engineers		1	1
10	Senior Journalists	1	4	5
11	Ex. Ambassador		1	1
Total		6	29	35

2.3 Methodology for the report preparation

According to GEOC's operational procedures, every Constituency Level, Municipality Level and VDC Level Observers are required to submit his/her report to District Level Observers. After study and analysis, the District Level Observers would submit the district report to a National Observer. The National Observer reviews the report and submits the revised district observation report on the basis of his/her own observation and factual analysis to the secretariat. Also, the National Observers submit their separate reports embodying their own observations. The report has been prepared by a team of experts taking into account all the reports received in the secretariat. It was reviewed and revised by some members of the Executive Committee, and the Chairperson Mr. Himalaya Shumsher J.B. Rana. Qualitative and quantitative methodology has been adopted to prepare the report.

The Election Commission, the Government of Nepal and other concerned parties have done a good job to make available necessary electoral laws, acts, rules, manuals and make all preparations for access to physical and human resources in a short period of time. After internal conflict, the nation has been able to solve its problem through Constitution Assembly election. No election is perfect. In spite of some weaknesses the CA election was successfully held, although the security situation was fragile. Some remarkable facets founded during the course of observation are mentioned in the report.

■

Review of the Constituent Assembly Laws

3.1 Evolution of the CA Concept

Nepal Sarkar Baidhanik Kanoon (The Government of Nepal Act), 1948 adopted on January 27, 1948 by the then Rana Prime Minister Padma Shamsher Rana did not come into force due to opposition by senior Rana executives. Following the end of the Rana rule in 1951 the then king Tribhuvan promulgated Nepal Antanim Shamvidhhan 1951, also known to as the Interim Constitution of Nepal 1951 on the advice of the Council of Ministers in March 1951 which had provisions for Constituent Assembly election. Due to disputes among the political parties, and abandonment of the concept of the Constituent Assembly by king Mahendra the "Constitution of the Kingdom of Nepal" 1959 was promulgated on February 2, 1959 which provided provisions for general election. In December 15, 1961 King Mahendra deposed the elected government headed by the Prime Minister B. P. Koirala, banned all political parties and suspended all articles of the Constitution, except Article 55. In exercise of the power by this Article, Nepal Special Provision Act 1961 was promulgated. He ruled up to 1963 on the basis of this Act. He constituted a Constitution Drafting Committee on May 30, 1962 and the Constitution of Nepal was proclaimed on December 15, 1963 inducting a partyless Panchayat system. The Constitution was partially amended in 1980 following a referendum. Otherwise the country was governed for 30 years under the Constitution which had no provision for Constituent Assembly.

The people's movement in 1990 put an end to the partyless Panchayat system. In April 10, 1990 King Birendra was compelled to delete from the Constitution of Nepal 1963, the provisions regarding the partyless Panchayat system, and promulgate an amendment providing multi-party political regime. Multiparty activities were allowed and multiparty democracy was restored. The draft of a new constitution was drawn up by a Constitution Drafting Commission headed by the Supreme Court Justice Mr. Bishwonath Upadhyaya. The new Constitution came into force on November 7, 1990 which also did not provide for Constituent Assembly election.

After the royal family massacre and direct rule by King Gyanendra in June 6, 2001, people's movement against Shah Dynasty autocracy and for democracy gained momentum leading to the seven political parties and the insurgent CPN Maoists reaching a consensus to sign the 12-point agreement in November of 2005. The dissolved House of Representative was reinstated and an Interim Constitution was drafted and came into force on January 15, 2007. Under Article 33 of this Constitution, the state took responsibility to conduct the Constituent Assembly election by the end of June 2007. It was however postponed till November

the same year. As the CA election could be held not on this month as well, the third amendment of this Constitution was made on December 2007 which re-scheduled the CA election by the end of 2064 (mid April, 2008).

3.2 Provisions Relating to the CA

The Interim Constitution 2007 was one of the achievements of the people's movement in 2006/07. Articles 33, 154 and 154(a) are related to the Constituent Assembly and part 7 is wholly related to the Constituent Assembly.

Following negotiations with the Madhesi and under-represented groups, the Government agreed to add Article 33(D1) 154(a) which gave opportunity to the Madhesis, Dalits, indigenous ethnic groups, women, laborers, farmers, the physically impaired, disadvantaged classes and disadvantaged regions to participate in all organs of the state structure on the basis of proportional representation. The Government also inserted a provision for Constituency Delimitation Commission. A new provision was inserted to review the power of the Constituency Delimitation Commission. As per third Amendment, 240 members were to be elected under the first-past-the-post system from each constituency instead of 205 and 335 members were to be elected under the Proportional Representation system. Also provision was made for nomination of 26 members by the Council of Ministers on the basis of consensus from among distinguished persons and from ethnic and indigenous groups who fail to be represented as a result of election. Thus, Constituent Assembly Members will number 601. The first meeting of the Constituent Assembly was held on May 29, 2008 which instituted the posts of President and Vice President following the declaration of a Republic. Unless changed or amended by a resolution, the term of the Constituent Assembly shall be two years from the date of its first meeting. But the term of CA may be extended up to six months if a state of emergency is proclaimed and if the job of drafting a constitution is not completed.

3.3 CA Members Election Act, 2007

This Act will remain in force till the tenure of the Constituent Assembly. It deals, just like the Interim Constitution 2007, with election constituency, the electoral system, the number of Constituent Assembly members under the mixed electoral system, the first past the post system and proportional representation system procedure for candidate nomination, objection to candidacy, vote counting system, the closed list that would remain valid till the term of CA, appointment of returning officer, polling officer and other staff members, functions, powers and duties of each stakeholder, qualification of candidate, disqualifying terms and conditions for candidacy cancellation, decision on the polling station, management of the ballot box and ballot paper, fixing the polling time, polling method, counting system, conditions for vote cancellation and the announcement of results.

3.4 CA Members Election Rules, 2007

The Election Commission formulated the rules to facilitate easy execution of Constituent Assembly Member Election Law (Act), 2008. Election Commission would make public all details of the election after the Government fixed the CA election date. Annex 1 is concerned with the first past the post system and Annex 2 is related to the proportional representation system. Annex 3 has set forth the format of nomination, details of proposers

and seconders and consent of the candidate. If the candidate is affiliated with any party, formal acceptance letter should be received from the concerned political party. The format for party official letter is given in Annex 4.

Rule 9 provisions about the closed list. During selection of the candidate, political parties should be careful about the first past the post and the proportional representation system. If the closed list submitted by political parties does not fulfill the objective of the Act, Election Commission would suggest the concerned political party to correct its list within 7 days. Such corrected list would be rechecked by E.C. before preparing the final list. One candidate from Sadbhavana party was disqualified and another candidate was put on the list. Such rules facilitate execution of the Act.

3.5 The Election (Offences and Punishment) Act, 2007

Since election of members to the Constituent Assembly is special, it needs a new Act about election offences and punishment different from the traditional law. The Election (Offences and Punishment Act 2007) came into force after the historic people's movement of 1990, replacing the previous Act. In constituency number 1 of Kathmandu district, electronic voting machine was used as a pilot case. The new Act gave recognition to that system. The main objective of the Act is to reform the traditional canvassing methodology of political parties in order to enable them to improve their canvassing style.

Political parties are not allowed to use loudspeaker except for the purpose of mass meeting (public assembly) and only during public assembly. Nor can they stick posters on any religious place or building owned or used by government bodies and institutes, walls of private buildings or shops without permission. There are provisions to control sound and plastic pollution. This Act has defined the limit of election expenses. Use of transportation and wall painting is forbidden. For the purpose of entering free, fair and fearless environment such actions are declared as election offences. Probable offences are clearly defined in the Act from followed by provisions for punishment. The Act can be studied and applied easily by all concerned.

In the course of election, any act of publicity or propaganda undermining the independence, sovereignty, territorial or national integrity of Nepal, questioning the authority vested in the people or competitive multiparty democracy is prohibited. No voter is allowed to show or exhibit the ballot paper after the stamp is put on it. If it is not dropped in the ballot box the ballot paper will be put in a separate envelope and sealed. No petitioner can use his petition for undue benefit. These are some features of this new Act.

3.6 The Election Commission Act, 2007

The legislature parliament that was reinstated gave priority to this Act in order to pave the way for holding the CA election and such other elections to be held by the Election Commission. Pursuant to the other laws in force and under the provisions relating to election, the Commission is authorized to establish such positions as the Registration Officer and Electoral Rolls Enumerator for preparation of voters' lists in the preparatory phase. Similarly, such positions as Chief Returning Officer, Returning Officers, Polling Officer and Assistant Polling Officer for election propose as deemed necessary may be appointed by the Commission, which may also designate other positions and fix their number as and where required.

Keeping in mind the priority of the CA election on the basis of the doctrine of necessity the Commission has the authority to seek any kind of assistance from other bodies for election propose. The Commission may monitor or may give permission for observation. It is empowered to use physical facilities as per necessity, procure the service of expert and to hold free, fair and fearless election. If the Commission is convinced that the election has not been free and impartial it has the power to cancel such election. It can take decision to disqualify a candidate, approve registration and recognition of a political party for purpose of election and publish name list of political parties that have registered. It has the authority to cancel registration of a political party and put restriction on a political party to take part in election. It can decide on disputes related to recognition. It lays down ceiling on election expenses for a political party or its candidate. If any political party or candidate spends money in excess of the ceiling the Commission has the authority to punish. Voter awareness program is conducted as per necessity. If necessary, the Commission may delegate certain powers. The Commission may punish a party which does not abide by the orders and directions of the Election Commission or deliberately violates the laws in force with any malafide intention or does any act prejudicial to the impartiality of election. Thus, this Act has all legal provisions to conduct free and fair election in a peaceful manner and without rigging. The Election Commission Act, 1991 stands repealed after the enforcement of this Act.

3.7 The Act Relating to Electoral Rolls, 2007

This Act came into force for the election of members to the Constituent Assembly and such other elections to be held by the EC pursuant to the laws in force. The Commission has the authority to compile and update the electoral rolls within the territory of each constituency of Village Development Committees and Municipalities under its supervision, monitoring and direction. The program of updated voters' list was published in Nepal Gazette to disseminate information. The Commission can delegate power to the Registration Officer. The office of the Registration Officer was established in the concerned municipality ward office and village development committee office respectively.

In previous election those citizens who attained 18 years by the end of April 12, 2008 in the previous year were enrolled in the voters list. But in the recently concluded Constituent Assembly election those who attained 18 years by the end of December 15, 2007 were eligible for voting.

This Act defines admissible and inadmissible grounds for permanent residence, allows application for correction of details, objection to electoral rolls, removal of repeated name from electoral rolls, publication of final electoral rolls, and provisions relating to temporary electoral rolls. Nepal Army, Police Officers and Combatants of the Maoist army staying in cantonments enjoyed opportunity to vote. But such voters got opportunity to vote only under proportional representation system.

3.8 The Rules Relating to Electoral Rolls, 2007

In exercise of the powers conferred by section 44 of the Act, the Election Commission has framed the Rules and brought them into force. Sub-rule 4 designates the District Election Office as the Chief Voter Registration Authority. The Election Commission published in the Nepal Gazette the list of voter Registration Offices. Likewise details and schedule of

voter registration program were publicized. The schedule for collecting permanent and temporary names of the voters as well as for updating the electoral rolls, and request to all eligible citizens to apply for inclusion and updating of their names were disseminated. The Rules also cover for removal of names, correcting errors, death, permanent migration to some other place after marriage, and disqualification for inclusion of the name in electoral rolls. It is the duty of every person to apply if the name is omitted and if there is any error in the details included in the electoral rolls. Application objecting to electoral rolls or removal of the repeated name can be submitted. A person who obtains citizenship after the publication of the final electoral roll can apply for inclusion of her or his name within the stipulated time. Any voter or candidate can check or obtain duplicate copies of the electoral roll. For issue of duplicate copies no fee will be charged if such copies are made through applicants' own effort. If any person or organization intends to purchase the electoral roll, the office designated by the Commission may sell copies or compact disc by collecting such fee as may be prescribed by the Commission.

3.9 Political Parties Registration (for the purpose of election) Rules, 2007

This Regulation was framed under the delegated power conferred by section 44 of the Act Relating to Electoral Rolls 2007. The Election Commission has brought this Regulation in force pursuant to the objective of the Act. The Election Commission has published a notice in Nepal Gazette pursuant to Article 142 of the Interim Constitution of Nepal, 2007 and clause 19 of the Election Commission Act, 2007. Any political party intending to secure recognition from the Election Commission for the purpose of Election is required to register its name within one month. Notice inviting application will be published in a national level newspaper and in other media. After such publication a political party applies for registration submitting its constitution, manifesto, address of its central office, details and sources of financing, its flag, and sample of its official stamp. The official application is signed by chairperson or secretary general or any equivalent official as specified in the schedule 2 format. The application needs to be submitted along with the signatures of at least ten thousand voters, which is mandatory for a new party to be registered. This provision is not applicable to the political parties represented in the interim legislative parliament. The signatures of voters contained in the application need to be verified and attested by some recognized authority.

The Election Commission makes necessary inquiry about the details submitted. The Election Commission refuses to register such political parties whose objectives are contrary to the spirit and norms of the preamble of the Constitution, and which practices any kind of discrimination on the grounds of religion, race, tribe, language or gender. The parties' constitution and manifesto should not disturb the country's religious or communal unity. Registration is denied if the constitution of a political party is divisive or its objective is to protect and promote a partyless or single party system. No two parties can be registered with the same name.

3.10 The Code of Conduct for CA Election 2007

The Election Commission has formulated the code of conduct in consultation with concerned stakeholders to ensure that election of members to the Constituent Assembly is fair, impartial, transparent and inclusive. The code has come into force after the EC

published a notice in the Nepal Gazette. The EC has specified different dates to concerned stakeholders for effective implementation of the code of conduct.

The EC has clearly specified 14 points such as the *dos and donts*, the code of conduct to be followed by parties and their candidates during election campaign, shape and size of the pamphlet and the color in which the pamphlet should be printed. Each nameplate should bear the name of political party as well as the name and address of the press. Posters, wall painting and banners are strictly prohibited. No plastic material can be used during election canvassing. Besides, election campaign should not disturb a mass meeting (public assembly) or public transportation. A flag, only 10 x 18 cm in size can be used. A procession or a mass meeting is allowed to take place from 7 am to 7 pm only. The Local Administration should be informed before-hand about such program, route, place and time. All stakeholders are required to abide by the code of conduct. There is a silent period of 48 hours before the day of polling.

These are additional provisions in the code of conduct relating to election campaign expense and means of transportation. The use of aircraft, aero-plane, and helicopter are prohibited. A candidate in each election constituency is allowed to use light vehicle or two horses only where the road is inaccessible. A political party can use only two light vehicles in one constituency. All political parties, party workers, well wishers, observers and candidates are required to follow the code of conduct. They are expected not to engage in any kind of activity that would hinder the election process.

The code of conduct is also applicable to the government of Nepal, its offices and employees. The code of conduct is concurrently also prescribed for semi-governmental bodies and for mass media. Candidates, who are contesting the election under the first-past-the-post system are not allowed to spend more than Rs. 4,49,500, and under proportional representation system Rs. 50,000 is the ceiling on election expenses for each candidate.

3.11 The Constituent Assembly Court Act, 2007

If any legal question or dispute arises or complaint is filed against the election of Constituent Assembly members, this Act provides for the establishment of a Constituent Assembly Court. The Nepal Government will set up a Constituent Assembly Court and publish a notice in the Nepal gazette. This court will settle all petitions concerning the election of members to the Constituent Assembly. Following disputes come under the jurisdiction of the Constituent Assembly Court: (1) Disqualification of any member (2) Election of a Constituent Assembly member declared invalid and (3) Offences relating to election. No question can be entertained in another court on the above-mentioned three disputes, which come under the jurisdiction of the Constituent Assembly Court. The Court issues summon to the concerned party to provide all witnesses and to make statement and to any other person to appear before the Court on a day or date specified by the Court. If the Court deems it necessary to give time to a party to produce documents in defense or to finalize the case, the Court can issue a stay order. To deliver speedy justice all cases will be settled within three months. ■

District Level Observation Report

4.1 Jhapa

Awareness on the CA

In Jhapa district, different government and private media, political parties and election offices conducted voters' education program which created substantial awareness of voting process and of use of the ballot paper, till the Election Day. Despite these efforts, older and illiterate people of rural area were still confused about the election procedure of CA election. Many voters of rural areas did not know the difference between CA election and parliamentary election.

Nomination and Registration Process

Party nominated and independent candidates of different political parties registered their names in accordance with the process set up by the Election Commission. Initially the Election Commission had fixed the dates between *Falgun 13 to 19* for candidate registration. But the date of nomination was extended on March 6, 2008 in line with the agreements reached with the agitating parties in the hill and the tarai. The two stage nomination process facilitated election.

Voters' Commitment

Interest in election had increased prior to election. Enthusiasm for election was observed among illiterate youth, older people, women, unemployed and disabled. Voters were committed to use their voting rights for establishing sustainable peace in country.

Environment at Polling Centre

Election office established almost all polling centers based on all party consensuses. Polling centers were established in places convenient to all voters. Minimum 6 staffs and almost same numbers of volunteers were provided in every polling center. All materials and equipments required for voting were properly managed.

Observance of the Code of Conduct

There was no serious violation of code of conduct in the district. Civil society, election office, observers, government and private media conducted their work within the limitation of code of conduct. Almost all activists of all political parties violated code of conduct by using their party flags in private vehicles during election.

Peace and Security

Voters of rural areas weren't assured of peace and security even two weeks prior to election, but as the election date drew closer increased understanding between political parties succeeded to erase such confusion. Nepal police, armed police force, temporary police and mobile police team were mobilized in rural areas. In totality, peace and security environment was good.

Political Violence

There were no serious incidents of political violence in this district, though the closure of Mechi called by Sanghiya Limbuwan Rajya Parishad on March 14, 2008 was completely successful. There was a dispute between the UML and the Maoist cadres about vehicle used by UML Politburo member K.P. Sharma Oli which allegedly struck a Maoist activist riding motorcycle on March 24, 2008. There was another dispute between the Nepali Congress and the Maoists regarding the throwing of stone at Bhainsebadi of Pathamarai VDC on 22 Chaitra.

Situation during Vote Counting

Almost all agreed that the vote counting was done properly in easily accessible place. Peace and security was adequately ensured. Observers were obstructed for almost 15 minutes to enter to vote-counting place at 2.30 PM on April 11, 2008 but such obstruction did not recur. Due to load-shedding at 9.15 pm on April 12, 2008 vote counting of all constituencies was postponed till 8 am of the New Year day April 13, 2008. No dispute was observed during vote-counting period.

All Women Election Officials were employed in Constituency number 3 of Bhadrapur Municipality polling centers as a new model. This polling center, operated by women staff, was comparatively even more peaceful than other polling centers.

4.2 Morang

Awareness on Constituent Assembly

Despite desire to vote, due to complex process of CA Election, voters in general had lower level of information and knowledge regarding the election. One old voter said "Among two votes, I will cast one vote for 'sun' and the other vote to 'tree', and 6 % of the vote cast was invalid indicating the lack of voters' education. The second thing that was found was that the voter had taken it as a 'government' election. They were voting for roads, bridges and employment from their candidates. Voters' education program of Election Commission, did not successfully reach the grass-roots people.

Nomination and Registration Process

Candidates nominated by different political parties registered their names in accordance with the process set by Election Commission by going to the concerned election offices with the procession of party activists and general people. Election Commission had ensured the participation of all political parties by extending the registration date to March 6-7, 2008.

Voters' Commitment

The level of committeemen was not good due to lack of proper awareness. Committeemen level of voters can also be gauged by the fact that many were not aware of the symbols of their trusted party, and fingerprints were used in ballot paper. However, most of voters had high level of enthusiasm to elect their representatives.

Environment at Polling Centre

Though effort was made to improve the polling centers in this election over previous one most of them were not properly managed. The extensive by available human resources was not practically deployed. The polling center at Kanya Campus of ward no. 4 of Biratnagar Sub-metropolitan city was big, ventilated and comfortable whereas the polling center of ward no 1 and 2 were located inconveniently for voters, who came from 4 km distance. The voting arrangement was uncomfortable. There were 2 booths instead of the provision of 6 booths.

Observance of the Code of Conduct

The code of conduct was not followed completely, although there was no gross violation of the code of conduct as in the past election. Specifically, political parties did not appear desirous to follow the code of conduct. Initially, wall-painting was aggressive in Morang and later on rally of motorcycle, cycle rally, distribution of caps, bags, vests further eroded the code of conduct.

Peace and Security

Though the election was peaceful but fear was spread indirectly. The Maoists' used of sentences such as "if we will not win the election, there will be bloodshed"; "we again go to jungle"; "where you cast vote, we know from machine" created internal fearful situation. Voters were attracted to their favor by wearing party-wise dressing.

Political Violence

There was no physical violence among political parties but mental pressure was prevalent. Character assassination of other political parties and obstruction to enter village for campaigning was rampant.

Situation during Vote Counting

Vote counting started at 4 o'clock on April 11, 2008 after ballot paper arrived from nine constituencies of Morang districts. Two representatives per candidates were allowed in counting place. Permission was given to one national and International Observer per organization and one representative per media. Representatives were sent to the counting place after thorough checking in the Adarsha High School. Observers had to pass through three stages of a checking to go to counting place. Vote-counters were seated on the floor in two lines and party representatives, journalists and observers were seated further separately. No one except vote-counters were allowed to touch ballot paper upon opening of every ballot box, 50 ballot papers each were bundled together and kept upside-down.

4.3 Sunsari

Awareness on Constituent Assembly

The voters of Sunsari had increased their awareness and knowledge of the CA election through mass-meetings, workshops and seminars, organized by different political parties. Dalits and Janajatis of some area said they did not understand Constituent Assembly in depth but were committed to cast their vote.

Nomination and Registration Process

Candidates of different political parties and independent candidates had registered their nomination in the concerned election offices accompanied by the procession of their supporters in accordance with the process set up by the Election Commission. In accordance with the agreement reached with the agitating political parties in Tarai, nomination dates were extended to March 6 and 9, 2008 ensuring the participation of all political parties.

Voters' Commitment

Voters' commitment to actively participate in CA election was enhanced as a result of discussion and interaction held among Janajatis and other groups of Hill and Tarai origin residing in Sunsari district. The voters from the Sri Lanka Island of Constituency number 6 located in-between the Saptakoshi River cast their vote coming by boat. Person in mourning period had also come to cast their votes in Poraslhper polling centre. A woman who gave birth to a child at 7 o'clock in Itahari constituent no 2 cast her vote at 2 o'clock and also named her daughter "Sambidhan" according to her husband Binod Bishwokarma.

Environment at Polling Centre

Due to high standard of management of all polling centers and because of suitable location voting process proceeded easily in Sunsari district.

Observance of the Code of Conduct

While all the stakeholders were involved to enforce the code of conduct, it was not followed as expected. Political parties did not erase wall painting; civil society did not adequately warn the violating parties and government. Election Commission could not stop incident of violation due to slackness. Even some Observers violated the code of conduct in some places. Activists of the Maoists used shirts with their party symbols in Constituency no. 4 of Inaruwa.

Peace and Security

Overall, the election was peaceful except in very few isolated incident. Ballot papers without signature of polling-officers were found in Dharan ward no. 12 Public High School polling center, resulting in the postponement of voting for sometime but resumed shortly after.

Political Violence

Numbers of clashes were recorded in various places prior to the day of CA election among different political parties. A few polling centers were closed due to clashes during the Election Day for sometime, but resumed peacefully later on.

There was a clash between activists of Madhesi Janadhikar Forum and Nepali Congress at Balkrishna High School of Ramnagar of Constituency number 5 Inaruwa resulting in the death of Ganga Das during treatment at B.P. Koirala Hospital in Dharan while 4 others were also injured.

Situation during Vote Counting

Vote counting was conducted in a cordial atmosphere in the buildings of Inaruwa Municipality Constituency number 4 in presence of representatives of all political parties on 10 April, 2008. Vote counting was held in a similar environment in Constituency no. 6 also.

Similarly, vote-counting of the constituency no. 1, 2, 3 and 5 were conducted in separate rooms of Bhagawati Secondary High School of Inaruwa. Activists of RPP obstructed the counting of votes, but after consensus reached among political parties, counting was resumed on April 15, 2008.

4.4 Dhankuta

Awareness on Constituent Assembly

Voters actively participated in the CA election. Many came to cast their votes even by walking for three hours. Voters queued under scorching sun to participate in voting. Public awareness of CA election among voters was high.

Nomination and Registration Process

Accompanied by a procession of their supporters different political parties had registered the names of their candidates in Dhankuta districts.

Voters' Commitment

Most voters, who were simple and from rural environment, had their own intellect, capacity and wisdom to understand the CA, and were committed to participated in the long awaited CA election. Majority of the voters were farmer and laborers, including some from lower and middle class families.

Environment at Polling Centre

District Election Office had discussed and consulted with the District Administration Office, security agencies and representatives of political parties on how to hold free and fair election and had managed accordingly. Particularly, initiatives were taken to manage and secure the polling centers. Required staff, volunteers and security personnel were deployed in the polling centers within resources available. Polling centers were set at appropriate places for every one to reach them easily.

Observance of the Code of Conduct

Though the political parties had committed to the Election Commission, not to use big posters and not to undertake wall painting they were not followed in practice. The Maoists had surprised all other opponents in the use of campaigning material. Though the political parties had to erase wall-painting fully, they did it in only in a few places leaving majority of the wall-paintings intact.

Peace and Security

Security arrangement for CA election was satisfactory. Base camps of armed forces were established in the two constituencies of a district and the police station displaced during the insurgency period had been reestablished mostly in rural areas. Police station of area no 1 of Chintang VDC Budhabare, Mudhabas, Rajarani, Dandabazzar, Bhedetar, Mulghat and Hilebazzar had been reestablished and the police station of area no. 2 of Chuwa, Arkhaule, Jitpur, Leguwa, Pakhribas and Sindhuwa were also reestablished.

Political Violence

The security arrangement was satisfactory. But due to weak candidates and organization of Rastriya Janashakti Party and Rastriya Prajatantra Party, except in the Bhedetar and Budhimorang VDC polling centres, no booth agents were present in the majority polling centres of other VDCs. There were representatives of Maoist and UML in all polling centres. Representatives of Nepali Congress were there only in a few polling centres. Other small parties had no representatives.

There were no representatives of Rastriya Janashakti Party due to insecurity from YCL in most of the polling centres including the polling centres of Constituency no.2 of Bhirgaon, Leguwa, Chanuwa, Khobu, and Shantikharka. YCL had obstructed the Rastriya Janashakti Party representative, Mr. Purna Bhadur Rai at Dharmodaya Pumiko polling centres of Bhirgaon VDC and similar was the situation at Dhame polling centres of Mugu VDC.

Deepak Dahal, a residence of Ward no.4 of Bhirgaon VDC of constituency no. 2, was kidnapped on the night of 23rd Chaitra at about 8 pm by unknown groups and on the next day his dead body was found in a field near to the jungle of Berai Tole of same VDC Ward no. 6 by shepherd. Two-days prior to election the activists of the Maoists Ambika Giri, a resident of Bhirgaon-4, had told his wife that her husband was in the hit list and anything could happen.

The activist, of the candidate of constituency no. 2 Mr. Surya Bhadur Thapa, was encircled and captured by Maoists blame that they had tried to buy votes with the money taken from Surya Bhadur Thapa.

Village President Padam Bahadur Paudel of Chanuwa VDC of Rastriya Janashakti Party was seriously beaten by YCL. Before this, the District Chairman of RPP and the candidates of constituency no.2 Tika Prasad Ghimire including 6 other persons had to return without campaigning. The flags of RPP and campaigning material were looted out from the vehicles parked at Dhankuta Bus Park and burned.

The Maoists, YCL activists and volunteers influenced the voters by wearing both caps and vests having their election symbols during the election day April 10, 2008, and the Maoist activists cast their votes openly, not secretly, in the polling centres of

Chintang VDC. YCL threatened the voters of Golkhadi polling centres, in Mahamara VDC. The Maoist activists pressurized the voters at Mahang polling centre of Belhara VDC, Saptentar polling centre of Ankhisalla VDC to cast their votes in favour of Maoists. The UML, Nepali Congress and Rastriya Janashakti Party appealed about that event to Election office. YCL wearing the vest and caps having their election symbol motivated the voters to cast their votes in favour of Maoists at Jeevan Sudhalaya and Kanyadevi polling centre of Khoku VDC of constituency no. 2.

In Matekathare VDC Ward No. 8 polling centre, Maoists volunteer gave slip to the voters having no voter serial number and they threatened the voters that if they did not cast vote for Maoist, they would take physical action against them. In Ward no. 9 of VDC office polling centre of same village, Maoists volunteers terrorized voters by wearing vests, caps having election symbol of "Spade and Hammer".

Jhakku Bhadur Katuwal and Padam Bahadur Paudel of Rastriya Janashakti Party were beaten by Maoists cadres on the eve of Election Day. Maoist activists asked them about the money given by Surya Bhadur Thapa in Shantikahrka VDC.

There was a clash between the activists of YCL and NCP(UML) near the Saraswati Primary School polling centres, about 500 meters away in Arkhaule VDC.

YCL not only threatened Purna Bahadur Rai, a resident of Ward no. 5 of Pakhribas VDC, but also beat him by carrying him away from his house with the accusation of carrying money from Surya Bhadur Thapa and warned him that if he reported to media he would be killed. He and his family members did not go to cast their votes in the Election Day on April 10, 2008.

Situation during Vote Counting

Ballot boxes from all polling centres had reached the election office by 12.30 pm. on April 11, 2008. The UML, Nepali Congress and RPP appealed to the Chief Election Officer to cancel the election of Constituency No. 1 of Golkahdi High School Polling Centre of Mahavaraa VDC, polling centre of Ward No. 4 of Chintang VDC, Saptentar polling centre of Aankhisalla VDC and Mahang polling centre of Belhara VDC and Khaniyakharja of Leguwa VDC, Kanyadevi of Khoku VDC, Chulachuli polling centre of Tangkhuwa VDC alleging that Maoist caste all the votes in these centres. The vote-counting was postponed pending the decision from Election Commission and started at 8 PM of April 11, 2008 and finished two days after.

4.5 Udayapur

Awareness on Constituent Assembly

The awareness level of voters was high. Voters walked to the polling centers enthusiastically to cast their vote. About 55 percent participants of votes denote a high level of awareness among voters.

Nomination and Registration Process

The Maoist, Nepali Congress, UML, ML, United Marxist, Rastriya Janata Party, and Janamorcha had nominated their candidates'. All these political parties had registered their candidates' name within the timeframe given by the election office.

Voters' Commitment

A great number of public awareness and advocacy programme about the CA election were conducted by various organizations including the election office, political parties and NGOs resulting in enhancement of voters' commitment. While voters were afraid to some extent about security prior to election all political parties reached an understanding on facilitating the polling process.

Environment at Polling Centre

Except for isolated incidents, close coordination and understandings was maintained among political parties. All political parties cooperated in facilitating the election process. Election monitoring was effective. Due to good queue management, almost all voters had cast their votes by 2 pm.

Observance of the Code of Conduct

Prior to election, the Maoists violated the code of conduct widely. The Maoist tried to obstruct election campaigns of other political parties on March 22, 2008. District Secretary of UML, Maniraj Paudel was released after being taken under control for 9 hours by the Maoists. The Maoist tried to disturb the programme of Nepali Congress at various places including at Mayankhu, Iname, Bansbote. They also attempted to obstruct campaigns of UML at Gaihat and Rampur. Unpleasant slogans used to disturb the programmes of opposite parties causing charged environment. Majority of the political parties had used public vehicles.

Children and schools were used in the programmes of various political parties. Maoists had threatened the rural voters to break their legs, confiscate their assets, if they did not vote Maoist, and that they would reject the results if they did not win in the election. Maoist also looted campaigning material from Nepali Congress and UML workers and obstructed their mass-meetings at Ranta and Thanagaon VDC.

Peace and Security

The security arrangement was good. Despite fear of political violence it was peaceful on the Election Day. Base camps were established at three different places and 50 security personnel were deployed for emergency mobile purposes.

Political Violence

There was a clash between the locals and the supporters of the UML leader Khadga Prasad Oli at Triyuga Municipality Ward No. March 24 and April 2, 2008. UML candidate Ashok Rai was kidnapped on April 5, 2008 at constituency no. 1.

Situation during Vote Counting

With the cooperation of all stakeholders, vote counting was peacefully completed. in the district. There was no obstruction for observers during vote counting. There were not any abnormal events occurred during vote-counting.

4.6 Sankhuwasabha

Awareness on Constituent Assembly

Not only political parties but also government and non-government organization conducted awareness and advocacy programs on CA election. But there was a lack of such campaigns in rural areas. Though most of the voters cast their votes in election, some were not aware about it. They were confused about the ballot paper and how to vote in CA election due to lack of proper information. Most of the invalid ballot papers were due to stamps of finger prints and some of them were blank.

Nomination and Registration Process

Different political parties registered their candidates name in election office in accordance with the process set up by the Election Commission. None of the candidates from different political parties complained about the process.

Voters' Commitment

Majority of the voters' aware uneducated in Sankhuwasabha district. Due to lack of education, voters were not aware about CA election though they were committed to use their voting rights. They believed that after election sustainable peace will prevail and peoples' constitution will be promulgated. Voters also believed that the Constitution drafted by the Constituent Assembly will include the aspirations of all castes, ethnic groups, dalits, janajatis, women and disadvantaged groups.

Environment at Polling Centre

Altogether nine hundred fifty staffs were deployed in election whereby three temporary polling centres and hundred sixty polling centers were established for election. There was a feeling of inadequacy of required human resources. The disabled and old-aged people did not receive special attention, and though in and out lanes were different they were so narrower that voters faced difficulty. Some voters complained that polling centres were far away.

Observance of the Code of Conduct

Civil society, Election Commission, government, and Observers followed the code of conduct whereas Maoist violated it. Maoist campaigned and demonstrated their party's flag at the Bageswari High School Dhunedhara polling centre at ward No. 12 of Khandbari Municipality. They also restricted three UML cadres of Aankhisalla VDC from campaigning in villages and threatened to kill them if they did not obey them.

The Maoist also threatened the voters of rural villages to kill them or physically harm them if they did not cast their vote to Maoist.

Peace and Security

Armed police, police and temporary police force were mobilized on April 3, 2008 for the purpose of maintaining security. Eight mobile teams of armed police and four mobile teams of police were separately mobilized. Temporary police and some regular police were deployed at the polling centers. However, people weren't free from fear and intimidation, and voters confided that Maoist applied pressure to cast their votes in favour of them.

Political Violence

There were no unpleasant events during the Election Day and the election was held peacefully in the district. However, there was obstruction during campaigns by political parties in rural area. The Maoist looted the campaigning materials of RPP in Wala, Tanku, Mangtewa and Siswa VDC, and three UML activists were threatened to kill in Aankhibhui VDC. The Maoist obstructed the door to door programme of UML at Baneshwar VDC. The Maoist intimidated voters to vote in favour of them and voters felt threatened.

Situation during Vote Counting

Vote counting was completed peacefully though some dispute occurred.

4.7 Saptari

Direct effect of Madheshbadi movement was seen in this district also. Number of the armed groups increased resulting in increase of fear and unrest among people.

Awareness of Constituent Assembly

Voters' level of awareness was high. However, voter participation was not commensurately high due to threats by Tarai armed groups. Voters, representatives of political parties and candidates were absent for the whole day at Trilok VDC, S.P.V. polling center. Only polling-staff cast their votes in proportional polling. Racial consciousness among voters had increased leading to more voting in racial line.

Nomination and Registration Process

Nomination of candidates took place in two phases on February 25 and March 6, 2008. In the first phase some parliamentary political parties and independent candidates and in the second phase agitating Madheshbadi parties registered their candidates' name.

Voters' Commitment

Voters were committed to CA election.

Environment at Polling Center

Election staff, policemen, volunteers, observers, journalists were present in polling centers. Polling centers were in open space and in appropriate locations. Separate arrangements were made for male and female voters to participate in election. The environment at polling center was full of excitement.

Observance of the Code of Conduct

Code of conduct was being observed only partially. Proxy vote was used but there was no possibility to resist it. Weak political parties did not protest. Due to lack of voting education, in a few places, policemen were advising the voters how to cast their vote.

Election was postponed at Praswani Tregari School's polling center of constituency no. 1 as the NCP (Maoist) activists tried to capture the booth. Election was postponed at Madhuwapur polling center of constituency no. 2 due to breaking down of the ballot box. Election was postponed at Dada VDC of constituency no. 3 due to discovery of

unsigned ballot paper. The postponed election was held peacefully on April 15, 2008 with additional security force. As the disputes at Chenura center of Rajbiraj-2, Bazaar center of Rajbiraj-3 and Rampura Malhaniya center escalated, GEOC Observers informed the District Administration Officer. He deputed additional security force and the election took place peacefully.

Peace and Security

Excepting the above mentioned events, election on the Election Day was accomplished without disturbance.

Central, regional, district level, security forces were used to provide security at polling centres.

Political Violence

Political violence did not occur in Saptari district on the Election Day. Security forces prevented disturbances.

Situation during Vote counting

Due to the un-updated records kept by the teachers, who were for the first time recruited for the CA election, the vote-counting was delayed. Vote Counting, that was started from April 13, 2008, was completed after ten days. Vote-counting was completed peacefully.

4.8 Siraha

The pre-election situation of the Siraha district was full of panic. Parliamentary parties and the Maoist didn't take part in Madhesh movement. Madheshbadi parties were agitating in Tarai while armed groups were propagating the slogan of independent Madhesh. Prospect of holding CA election was in doubt. Political parties were in confusion in this regard. Agreement was reached, later on, between and with Madeshbadi parties and a favourable situation for election emerged. Armed groups were inactivated by mobilizing a huge number of security forces.

Awareness on Constituent Assembly

Level of political consciousness increased of those voters who had participated in the Madhesh movement. Concurrently, marginalized groups such as Mushar, Jhangadh, and Doom were activated by the Maoist movements. But as these groups were not in there mainstream of politics, they were found less aware of CA election in comparison to middle class, educated and literate groups. The level of political awareness was low among indigenous groups while migrants' community's level of awareness was high.

Nomination and Registration Process

Nomination and registration process was held on 13 Falgun and 23 Falgun at two stages in accordance with the rules set up by Election Commission.

Voters' Commitment

Commitment to the election was low in backward areas. Due to threaten of armed groups, the excitement about voting was marginalized among voters in these areas. Most of the candidates were not ensure that the election would be held on 28th of Chaitra. Eventually, unexpectedly high level of participation took place in the election. Madheshbadi parties united all the voters.

Environment at Polling Center

Election, security forces, observers, and volunteers were active in the polling center. Mutual understanding among the representatives of political parties made the process of election smooth. Proper arrangement of tent, drinking water and fencing was made in polling centres. In totality, the environment around polling centre was encouraging.

Observance of the Code of Conduct

Code of conduct was only partially observed. Events of wall painting, double voting, under-age voting occurred in significant of number. Voters, who did not have their name in voting list, cast their votes in the name of others. Also voting was cast in the name of people who were abroad.

Peace and Security

Electoral violence did not take place as apprehended because Madhesbadi parties also participated in election. Presence of police and security personnel was thin mobile teams were alert and did the rounds of all polling centres.

Political Violence

Election was postponed for an hour in constituency number 1 of Sonamati Majhewera polling centre as CPN (UML) cadres captured the booth. In constituency number 2, Tenuwapatti VDC of Sohapur Primary School, tussle occurred among the cadres of different political parties and the election was postponed and rescheduled on 5th Baishakha. On April 10, 2008 election was postponed due to booth capturing by one of the congress candidate's son with the support of criminal group, and the election was rescheduled on the 5th of Baishakha. The same group attacked the booth at Phurjawari Lower Secondary School and injured NCP (ML) cadres. NCP (Maoist) cadre tore out the ballot paper at constituency number 5 of Karjanha VDC and the election scheduled on Chaitra 28 was rescheduled on 5th Baishakha.

Situation during Vote Counting

Vote counting was properly done despite some disputes.

4.9 Dhanusha

Dhanusha district was affected due to anti-election movement by Madhesi Janadhikar Forum since 2064 Chaitra. The movement turned serious since 6 Chaitra 2064. Innumerable clashes between police and agitating forces occurred and dozens were injured. Police fired tear gas even at Janapkur zonal hospital. Rough actions were taken by security force in different places like lathi-charge on human rights activists and rude treatment of journalists. On the other hand, peace rally also took place.

Registration and nomination process was not easy due to the Madhes movement of 13 Falgun. Different clubs, bar association, journalists, civil servants, professors, teachers, laborers and farmers, participated in the peace rally. Bimalendra Nidhi, a nominee of Nepali congress, landed by helicopter at Superintendent of Police's office and filed his nomination. CPN (Maoist), CPN (UML), Janamorcha and other parties nominated their candidates' whereas Madheshbadi parties boycotted the nomination program. Eventually, an agreement took place on the 16th Chaitra and the situation became favourable to election. On the 23rd day, candidates' nomination process was re-started. Madheshbadi parties welcomed the agreement and became involved in nomination process.

Awareness on Constituent Assembly

Madhesh movement created awareness among voters. As a result, substantial participation in election occurred.

Nomination and Registration Process

Nomination of fifty candidates was registered on 13th and of 118 on the 23rd of Falgun.

Voters' Commitment

The commitment and participation of middle class voters had increased. However, votes of disadvantaged groups were at relatively lower level of commitment and participation. Nonetheless, marginalized class used this election as an opportunity to change social values and attitudes. Therefore it can be said that voter's commitment was encouraging. Sample voting program was conducted at 10 different places of Dhanusha district. Voters' education program was not effective as expected.

Environment at Polling Center

Polling centers were safe. Fencing and tents were used to save from sun-rays. Volunteers were mobilized through election officers. Proper management of party's representative, observers and security personnel was done. Vote casting took smoothly.

Observance of the Code of Conduct

No events of intimidation, abduction of voters were seen in polling centers. However, wall-paining, misuse of vehicles, construction of gate, etc. were the examples of violation of the code of conduct. In some places, under-age people also participated in voting. Also, violation of the code of conduct occurred like use of large size posters, misuse of vehicles, use of mike in campaigning, phamphleting in wall, public places and individual houses.

Peace and Security

Voting took place in a peaceful manner on the Election Day in Dhanusa district. Two policemen, 4 temporary police were deployed at the polling centre. Mobile teams roamed around with the capability of reaching disturbed areas within 10 minutes. Armed groups of Tarai areas were completely paralyzed due to intensive mobilization of security personnel. Armed groups disturbed the peaceful situation after the CA elections.

Political Violence

Political violence was controlled during the Election Day. After election violence increased, especially follows after the return of security personnel.

Situation during Vote Counting

Late vote counting occurred due to disputes, and vote counting was started in the next day of election in some constituency. Results were declared after two days.

4.10 Dolakha

NCP (Maoists) dominated other political parties prior to election in Dolakha district. Other political parties' candidates were not able to campaign in the rural areas and one-sided political activity took place in rural remote VDCs. Major political parties' candidates cancelled their pre-planned mass-meeting due to the pressure of CPN (Maoist) and returned to the district headquarters.

Fire broke out in the house of Dhoj Khadka, ex-VDC President of Sahara VDC and leader of NCP (UML) on the evening of 21st Chaitra. Nepali congress was blamed for this event.

Awareness on Constituent Assembly

Political turmoil generated by NCP (Maoists) peoples' war increased political awareness in villages. Voters were curious about CA election expecting the end of political conflict and peace and security, increase more employment, increment in health services, and launch of economic development. Voters of marginalized classes were confident that this election will end ethnic untouchability, backwardness, social discrimination.

Nomination and Registration Process

Registration and nominations of candidates took place on 13 Falgun in accordance with the set procedure of election commission.

Voters' Commitment

Highly aware voters of Dolakha district were committed to the CA election. They were concerned about the postponement of election. The low income class was more active during election than well-to-do class. On the whole, voters' commitment level was high, and they did not care about small inconsistencies that crapped up during the election process.

Environment at Polling Center

Electoral staff, volunteers and security personnel were deployed. Also, national and international observes covered the election. Arguments took place in some of the polling centers about violation of the code of conduct during campaigning. Repolling took place in some polling centres. Nepali Congress filed complaint in District Election Offices saying that NCP (Maoist) captured booth in 9 places of the district. The office did not accept the evidence and results were declared after vote counting.

Observance of the Code of Conduct

Partial observation of the code of conduct took place. Campaigning was not completely free and fearless. Voters were intimidated and substantial number of children (under-age) were involved in vote-casting.

Peace and Security

Innocent men and women were injured due to confrontation of political cadres of NCP (UML) and NCP (Maoist) at various places including Chayama, Hahare, Sailungeswor, Dhyang, Mirge, and Junga VDCs. Similarly, two Maoists cadres were injured due to confrontation between NCP (UML) and CPN (Maoist) at Mainapokhari Market of Kavre VDC. On the other hand, an agreement was reached on the initiative of candidates and peace and security was maintained.

Two policemen, four armed police and six temporary policemen were mobilized in a polling centre. Their presence was symbolic. Political parties' signed an agreement and maintained peace. Voting was postponed for half-an- hour at polling centres of Namdu VDC "ka" polling centers since YCL entered and tried Khukuri attack. Security personnel controlled the situation and voting took place peacefully.

Peace-security situation arises due to mutual understanding between political parties.

Political Violence

No political violence took place on the Election Day in Dolakha district. Election was peacefully completed.

Situation during Vote Counting

About 100 staffs were mobilized in vote-counting. Voters cast in ninety-seven polling centres were counted. Twelve political parties' representatives were present at the vote-counting place. NCP (Maoist) candidate Ms. Devi Kahdka won the election by securing 22,182 votes in Constituency No. 1 and candidates Hem Bahadur Shrestha of the same party obtained 18,793 votes and became the winner of Constituency No 2.

4.11 Chitwan

Awareness on Constituent Assembly

Political parties' candidates and activists were not able to clearly brief the majority of the people about the Constituent Assembly before the election dates as well as up to the day of election. Political parties and candidates had given speeches more about abolition of kingship, construction of roads at different places, management of drinking water, construction of health post etc.

Nomination and Registration Process

Candidates registered their names in accordance with the process set up by Election Commission. Due to some errors in voters' list, Election Commission officials, and candidates, supporters had spent considerable time to revise the list.

Voters' Commitment

Voters' commitment level was not uniform in all the five constituencies. The level of commitment of voters varied in Chitwan district. Believing that the election is going to be held for establishing peace, some voters were expressing their views that they would vote only for those candidates or parties who will construct road, manage drinking water, and establish health post in their areas. Majority of the voters lacked awareness about the voting process and understanding about the main purpose of CA election. However, voters' participation in voting was substantial.

Environment at Polling Center

In response to our enquiry before the election, officials in the election office assured that adequate arrangements had been made. However, during election observation it was realized that staff was not adequate in relation to the number of voters.

Due to low number of volunteers and inadequate management, polling was not properly conducted. The increasing numbers of voters were not placed in queue. There was hardly any preference given to the elderly, disabled and blind voters in the majority of the polling centers including Jutpani, Darechock, Kathar, Gardi, Baghauda VDCs. There was no separate entry line to them and they had to wait for a long time in queue other voters.

Majority of the polling centers were not fenced and secured walls were not there. Buildings with open places were used as polling centers. Nepali Congress, NCP (UML) and, later on, other parties requested change of the polling centers after mutual consultation. Evidently, while selection of the polling centers was done without discussion with political parties.

Observers who had ID cards were also not given permission to enter into the Ra.Pra.Bi. Chepedhap "Kha" polling centers at Shaktikhor VDC of Constituency no. 2.

Observance of the Code of Conduct

Political parties had not followed the code of conduct. Nepali Congress violated the code of conduct by organizing election campaign from 7 pm to 9.30 pm at Dhaddari of Malpur VDC. Nepali Congress, NCP (UML) violated the code of conduct by using their party's symbol's hat, cap etc. in the majority of the polling center of Madi area, some polling centers of Bachauli VDC and around 100 meters of these polling centers. NCP (Maoists), NCP (UML), Nepali Congress had used pamphlets, posters and flags having their corresponding election symbols and they threatened those who were gone to erase those posters pamphlets, posters and flags. Victims of fire at Bandarjhula villages of Ayodhyapuri VDC were given Rs. 10,000.00 per person by Kalika F.M. Pvt. Ltd. The Chairman of that FM was Bikram Pandey, who was the central member of RPP as well a candidate for the CA election.

Local individuals, activists and supporters of Nepali Congress disturbed the election officials and obstructed voters at 12 polling centres of Meghauri VDCs, voting process and voters to go to polling. They also pushed away the voters who were in queue. The crowd burned ballot box and threw away ballot papers. Consequently election was postponed in those polling centres. In this way, Nepali Congress violated the code of conduct.

Under-aged children were used by NCP (Maoist), Nepali Congress and other political parties in mass-meetings organized during election campaign. Maya Devi Shrestha candidate of Nepali Congress had distributed financial incentives to the voters of Darechowk VDC. Election campaign continued during silent period at different places of Darechowk, Khairhani, Divyanagar, Megahuli, Patihani, Shivnagar, Gitanagar, Padampur, Jutpani, VDCs. Cadres of Young Communist League of NCP (Maoist) used T-shirt, vest, flags having election symbol of Maoist entered the polling centres. Also their banner having some their election symbol used fluttered out 50 meters away from the polling centres.

Peace and Security

Security personnel were not adequate in relation to geographical situation of the polling centres and sensitiveness of the polling centres. Security was not properly managed.

Security forces captured/controlled some suspicious characters who were present with home-based weapons around polling centres with the help of local people at proposed Siddhivinayak High School polling centre of Ward no. 11 of Bharatpur Municipality of Constituency no. 4 and some polling centres of Gunjanagar VDCs of Constituency no. 4. Temporary police deployed at the polling centres were symbolic only.

No unpleasant event occurred on Election Day although there was expectation of unrest.

Voters cast their votes with mental tension at various polling centres of Meghauli, Ramnagar, Saradpur,, Ujjawlnagar, Baseni, Bhojuad, Padariya, Jutpani and some other polling centres.

During the presence of central level leaders and candidates of NCP (Maoist), higher numbers of security forces were seen while lower numbers of them were seen during presence of leaders of other political parties. No preventive work had been done to stop the voters' mobility from one polling centre to another polling centre.

Political Violence

Political parties were busy to clash with each other than to follow the code of conduct. As a result, clashes occurred at Divyanagar, Gardi of Madi, between RPP and NCP (Maoist), YCL and between RPP and Janamorcha YCL at Jagatpur of Baghanda VDC. Similarly, number of clashes occurred between NCP (Maoist) and NCP (UML) at Ward No. 1 Ramnagar of Bharatpur Municipality and at Parsa of Khairhani VDCs. There were clashes between Nepali Congress and NCP (Maoist) and NCP (UML) at various places at different dates. Candidates and responsible leaders of political parties were present in those clashes and some were injured during attack and lost their campaigning materials, vehicles, communication devices, etc. This showed that the parties grossly violated the code of conduct. Also, the office of RPP was set on fire at Bharatpur and who did this work was not found out.

Had the code of conduct been followed by hotels, restaurants, political parties and their activists, activists of Nepali Congress would not have been at 11.15 PM night on 27 Chaitra 2064 at Tenaubazar of Meghauli VDC of constituency no. 5.

Re-polling took place at 3 Baishakah 2065 at polling centres of Meghauri VDCs where election was postponed on 28 Chaitra 2064.

Voters were in queue from early morning since 5 AM at various polling centres. Intensive clashes took place between Nepali Congress, NCP (Maoist) and Janamorcha Nepal. Consequently, workers of Nepali Congress were beaten. As a result, from the early morning on the Election Day, there was procession including vandalizing of motorcycle. Processions of voters was reached Janaki High School, Telauli, Sajahpur, Secondary school, Sajhapur, and Saraswati High School of Jitpur polling centres prior to election and clashes took place and the voting was postponed in all polling centres.

Situation during Vote Counting

Chief election officer requested observers and journalists to collect news and information from outside the voting room since they were not allowed to enter the vote-counting place. Due to negligence of management at vote counting places, load shedding took place for about 4/5 minutes. Security personnel were not allowed to enter into the vote counting place despite showing identity card.

4.12 Makawanpur

Awareness on Constituent Assembly

The media had generated some awareness among some voters, while some others looked upon CA election as a normal polling process for the House of Representatives as earlier. Some took it as a special occasion never practiced before. Both these groups, however, showed strong commitment to participate in the CA election. It was predicted before the election that there would be high participation of voters. But it did not happen. Political parties organized mass meetings, processions and door-to-door programs that would motivate voters to cast their votes. The main cause of low participation was the absence of people who had left the country for foreign work or employment abroad.

Nomination and Registration Process

All major parties registered nomination of their candidates as per schedule published by the Election Commission. The nomination process was completed in a peaceful manner.

Voters' Commitment

The level of commitment of voters as compared with previous parliamentary elections was high. The media, non-governmental organizations and the Election Commission created awareness among the voters. The other reason was the political turmoil that continued unabated in Nepal since 1991. The political upheaval that affected the Nepali society during the multi-party period (1991 - 2003) has helped to raise the level of people's awareness and commitment. All voters were convinced that the CA election was a historic process and all of them, including young voters, old voters, women, Dalits, indigenous and deprived people were committed and cast their votes in this once-in-a-lifetime election.

Environment at Polling Center

The District Election Office had made necessary arrangements in all four constituencies. An all party meeting which was attended by political parties, CDO, polling officers and security officers was effective to maintain peace and security. All staff members, security persons reached their respective polling centers before April 7. Local all party meetings were held in all polling centers, which helped to maintain peace on Election Day.

Political parties and cadres did not follow the code of conduct completely and it was followed only partially. In some cases, serious incidents also occurred when the code of conduct was violated. In many cases, posters, decoration gates and wall paintings were displayed in defiance of the code of conduct. Many vehicles exceeding prescribed limits were put to in use. The microphones also exceeded the limit.

Observance of the Code of Conduct

One of the major violators of the code of conduct was CPN (Maoist). Other parties also violated it in a significant manner. During the silence period, just before the polling day, it was difficult to judge whether the code of conduct was followed or not.

Peace and Security

The overall security situation of the districts was satisfactory. Regular monitoring of booth activities was done. The number of mobile teams was increased.

Political Violence

Political violence erupted in many places before the Election Day. CPN (Maoist) led violence could be seen everywhere but NC and CPN-UML led violence was equally visible in many places before election. Election Day was a peaceful day, and no casualty was reported.

Situation during Vote Counting

Vote counting was held in a peaceful manner.

4.13 Lalitpur

Awareness on Constituent Assembly

Urban, literate and elite people dominated majority of the voters in Lalitpur district. The urban segment took CA election as a special occasion and managed it very prudently preventing undesirable situations. They had access to television, radio, newspapers and other media outlets. FM radio created mass awareness, particularly in rural areas.

Nomination and Registration Process

The nomination process was held on February 25.

Voters' Commitment

Voters were very curious because they were getting a chance to vote after eight years. Most of the youths, students and new voters were very excited because they were voting for the first time. Voters were very committed to cast their votes, and their participation

was remarkably high. Outside the polling centers, large crowds were seen talking about activities, incidents including the level of interest of common people in the election process.

Environment at Polling Center

The Election Commission staff, security personnel, volunteers, observers, all appeared to be motivated at polling centers. The environment at the polling center was full of enthusiasm. Polling centers were set up in open space with sufficient outer space. In most centers separate waiting queues for male and female voters were arranged.

Observance of the Code of Conduct

Scenes of proxy voting, wall paintings, decoration of gates could be seen everywhere in the district. The codes of conduct were largely ignored.

Peace and Security

Since Lalitpur district lies in the Kathmandu valley, majority of voters belonged to groups with high development index in economic and educational sense. It had impact of a high level of human development with proximity to the capital. People displayed self-discipline and looked self-reliant. An all party meeting commenced by the Maoists motivated political cadres to maintain peace and security in the district under their influence was held. The presence of the security personnel had only symbolic effect. They were unable to intervene in violent situations that erupted accidentally. Such situations were tackled by all party meetings.

Political Violence

No major political violence was reported in Lalitpur district. All political parties organized campaigns in the northern urban areas. In the southern parts of the district our observers reported that CPN-Maoist prevented other parties from conducting campaign, taking out processions and holding mass meetings in different places.

Situation during Vote Counting

Vote counting was held in a peaceful manner without any problem in district headquarters.

4.14 Kavre

Awareness on Constituent Assembly

Voters' awareness was high in the Kavre district because it is a satellite district of the Kathmandu valley. Many political leaders have taken shelter in this district to launch political activity in the capital city of Kathmandu. This district is also taken as a base district to conduct different political activities in the capital city. Mass meetings, conferences, interactions and processions enhanced awareness among the voters. Voters were found more conscious than political cadres in the Kavre district. They had high moral standard but candidates were all new. Voters' consciousness was a responsible factor to generate enthusiasm among the voters. All voters were committed to get their respective candidates elected. Farmers, labourers, teachers, lawyers, social workers, lawyers, civil servants, all were committed to cast their votes.

Nomination and Registration Process

The nomination process took place on February 25 without any problem.

Voters' Commitment

Modern media like TV, radio, newspaper, all helped to generate a high degree of awareness and commitment. Majority of the voters came from the agriculture sector and the vegetable producers there were richer than people living in other hill districts. Due to high income level, voters looked self reliant and their commitment to cast vote was serious and strong.

Environment at Polling Centers

The environment in the polling centers was peaceful. Civil servants, security persons, and volunteers were adequately deployed. Inside polling centers, no cases of fear and threat were reported. Voters had made up their minds well before the polling day. Hence there was no report of any interference in the polling booths. Polling booths were located in VDC buildings and school buildings with sufficient open space. In some centers, however, space arrangement reportedly created problem.

Observance of the Code of Conduct

The code-of-conduct was strictly followed by voters, volunteers, observers, cadres and political parties. Observers were present only in motorable areas. In remote parts, national and international observers could not be seen. The election scene was reportedly dominated by Maoist cadres in the remote VDCs.

Peace and Security

The law and order situation was maintained owing to the domination of Maoist cadres. The cadres of other political parties were unable to express their disagreement against Maoist cadres due to intimidation and fear of physical threat. There was symbolic presence of security personnel and they were unable to taken action against Maoist activities. Thus, the election process was highly dominated by Maoists.

Political Violence

The Election Day remained peaceful, except for a few incidents. In area no.1, in Birtadeurali and Kartikadeurali VDCs, polling was postponed for a few moments. Similarly, it was repoted that in Macha, Kanpurkharchowk and Budaranvi VDCs Maoist captured booths and cast their votes unilaterally.

Situation during Vote Counting

Vote counting was held in district headquarters in the presence of political cadres, observers and security persons. No irregularity was found during vote counting.

4.15 Dhading

Awareness on Constituent Assembly

Voters were aware of the CA election and showed a lot of enthusiasm. In many places, voters stood in queue from four o' clock in the morning. Voters' awareness was high.

Nomination and Registration Process

The nomination process was held in a peaceful manner amidst colorful processions. During the nomination process, political parties had organized processions. In the processions, some of their cadres wore ethnic dresses and band groups sang songs turning the whole scene into a musical event.

Voters' Commitment

Although majority of the voters were from farmers' group they were highly intelligent and committed to the voting system, irrespective of widespread illiteracy in the district.

Environment at Polling Centers

Almost all polling centers were situated in school buildings, VDC buildings and open public spaces. Hence, sufficient space was available for voters. During the polling period, voters looked well versed in the voting procedures. Inside polling booths, no force was used to influence voters.

Observance of the Code of Conduct

The code of conduct was violated in many cases. The major violator was CPN- Maoist, but CPN-UML and NC also violated the code of conduct to a lesser degree.

Peace and Security

Temporary police, Nepal Police and Armed Police were alert in the polling centers. Mobile security teams were also deployed to maintain law and order. But their number was insufficient and they were unable to control violent activities. The impact of the presence of security personnel was only symbolic as they appeared to be influenced by CPN-Maoists, and members of CPN-UML.

Political Violence

Many cases of rivalry were reported from this district. On March 20, in Bedeni VDC ward no.4, Koilikharka, Maoist cadres attacked CPN-UML cadres and VDC secretary Krishna Hari Shrestha and three others, including Maoist cadre Megh Bahadur BK were injured.

It was reported that, in Besery VDC, Maoist cadres had attacked NC cadres and Bhakta Bahadur Lama of NC was injured. It was also reported that, in Jiwanpur VDC, on March 25, CPN-Maoists cadres had pelted stones at CPN-UML mass meetings. Security personnel rescued UML candidate Rajendra Panday and saved him. Besides these, many violent activities were also reported.

It was reported that on April 8 a row erupted between CPN-UML and NC in district headquarters Dhadingbesi. The district administration had to impose curfew from 10 am to 2 pm.

In Charaudi VDC (Buddhi Bikas Primary School polling center) a clash erupted between CPN-Maoist cadres and CPN-UML and NC cadres. CPN-Maoist cadre attacked their rival NC and CPN-UML cadres. The situation became tense for one hour and a half. Maoist cadres beat Bimal Thapaliya, Pradeep Kandel, Ram Chandra Silwal and many were injured. Vote-casting resumed without NC and CPN-UML representatives. NC and CPN-UML disagreed on this nature of vote-casting and registered their disagreement at the local EC office, but no complaint was heard.

It was reported that in Dhusa VDC, Bidang (Kalika Lower Secondary School), there was no representative of NC and CPN-UML. Only representatives of CPN-Maoist were present. NC and CPN-UML cadres expressed their dissatisfaction against it and registered complaint in the local EC office, but their complaint was not heard.

It was reported that in Kiranchowk (Thunkidanda Primary School), NC and CPN-UML representatives were absent. Inside polling centers only CPN-Maoist representatives were present; NC and CPN-UML demanded re-election but their demand was not heard.

It was reported that on April 11, while ballot boxes were being collected, NC cadres had destroyed boxes in Jharlang, Lappa and Sertung. While ballot boxes were being sent to district headquarters, ballot boxes of Darkha, Gumdi, Satyadevi and Kintangbesi VDCs were kept in Kahare Police Post. Maoist cadres entered the police post and took the boxes outside the post and burnt them. Re-polling was held in 6 VDC 27 polling stations on April 19.

Situation during Vote Counting

Vote counting was done without interruption.

4.16 Sindhupalchowk

Awareness on Constituent Assembly

Polling was conducted in 79 VDCs, 3 constituencies and 324 polling centers. Voters, especially females, participated with more enthusiasm. Voters' awareness level was high.

Nomination and Registration Process

On the nomination day, CPN-UML and CPN-Maoist cadres confront at the Election Office and clashed. In the one-hour tussle, 15 cadres were reported injured.

Voters' Commitment

The commitment of voters was found high. Voters' education, political movements, mass meeting, rallies and media helped to raise the voters' level of commitment.

Environment at Polling Center

In the district, 1918 polling staff members were mobilized. Proxy polling was common, in many cases a single person cast 12-15 proxy votes on that day. Minor voters, aged 9/10, and were also seen in every polling booth. Although vote casting appeared to be legal and peaceful, in reality, it was booth capturing by legal means.

Observance of the Code of Conduct

Although the CA election seemed free and fair, but in reality it was different, if analyzed carefully. Political party representatives, the election staff, security persons and observers were scared of intimidation. They were not in a position to express their views openly due to threat and fear of Maoists. Election seemed peaceful but it was peace at gun point. Political cadres and leaders of many political parties faced threat from Maoist cadres.

Peace and Security

In the polling process, 675 Nepal Police, 712 temporary police, 250 armed police were mobilized. But these numbers were not sufficient, and their presence was only symbolic. The election was free but was influenced by Maoist cadres.

Political Violence

It was reported that in constituency no.3 Shikharpur VDC Maoist activists captured the booth and cast votes unilaterally in their favor. The same situation was repeated in Bhotenamlang High School polling center. RPP president and candidates of the same region were prohibited by Maoists from conducting election activity in many VDCs including Thanpaldhap, Gunsa, Botenamlang, Thangpalkot and Bhotang.

Situation during Vote Counting

Vote - counting proceeded without interruption. Political cadres, observers and journalists joined in the counting process in a peaceful manner.

4.17 Nuwakot

Awareness on Constituent Assembly

Different political campaigns were launched to influence voters in their favor. Discussions, interactions and mass meetings raised voters' awareness to a high level. In remote areas Dalits and indigenous people looked confused.

Nomination and Registration Process

The nomination process passed off peacefully without tussle and tension. On the nomination day, major political parties nominated their candidates amidst cultural processions joined by a musical band.

Voters' Commitment

Majority of the voters were unaware of the entire political process, but they were knowledgeable about the election process. Political cadres were committed to their respective parties but voters that did not belong to any group wanted all party representation in CA election.

Environment at Polling Center

Voters suffered from uncertainty and fear of interruption of the election process. Many voters thus cast their votes in early hours of the morning. But nothing happened on the Election Day. National observers faced certain difficulties while entering polling

centers, but international observer whose numbers was small did not face any difficulty while entering the polling centers.

Observance of the Code of Conduct

In constituency no.2, some ballot papers were found without signature of polling officers. All political parties were not represented in all polling stations. Proxy voting was practiced a lot as marking with ink after voting was not done properly.

Peace and Security

The major factor to maintain law and order was the all party meeting held at the district and village levels. Intimidation and fear factors due to Maoists made other party cadres unable to speak. So the law and order situation was totally influenced by Maoists. Security persons were not able to work against Maoist influence. Election was postponed in Madanpur VDC constituency no.1 and it was again held on April 17. Ballot boxes were collected without participation of polling and security officers. Most of the seals of the ballot boxes were broken.

Political Violence

NC cadres threw away ballot boxes in Madanpur VDC constituency no.1. Re-election was held on April 17.

Situation during Vote Counting

In the presence of representatives of all political parties, counting proceeded in a peaceful way.

4.18 Tanahun

Awareness of Constituent Assembly

Media, political parties' campaign and EC activities raised peoples' awareness above normal level particularly for the elite group. Illiterate groups were confused and they put fingerprints instead of *swastik* mark on the ballot paper. Voters' intelligence was of a mixed level.

Nomination and Registration Process

The nomination process was held in a peaceful manner in all three constituencies. While going to nomination center, political parties arranged rallies followed by band groups. An all party meeting was called before the nomination process which helped tackle undesirable activities at the political level.

Voters' Commitment

Voters' level of commitment was varied. Very few of them had read the manifestos of political parties before polling, but voters were committed and optimistic about the dawn of peace in the country after the CA election.

Environment at Polling Center

All party meetings were held at district and local levels to hold election in a free, fair and fearless manner. Many polling centers were placed in narrow space, but polling day was unexpectedly peaceful.

Observance of the Code of Conduct

At the all party meeting full commitment was made to follow the code of conduct, but in reality the situation was different. Civil society, the Election Commission, the district administration and observers had urged the voters to follow the code of conduct. It was reported that in many cases, observers were found biased in favor of particular respective political parties.

Peace and Security

In constituency no.1 tussle between political parties occurred and many cadres were seriously injured. In constituency no. 2 and 3, voters were harassed by major political parties. The threat disrupted voters' voting freedom. NC and CPN-Maoist were particularly responsible in this regard.

Political Violence

Political violence was seen in many places before the Election Day but political parties transformed it into a peaceful event. In reality, no big political turmoil was reported and political parties resolved their differences.

Situation during Vote Counting

Vote counting started on the following day after polling at 1.30 pm. Representatives of political parties, observers and journalists were given permission to attend the counting center. Counting proceeded without any problem.

4.19 Gorkha

Awareness on Constituent Assembly

Voters were highly aware of the CA election in the Gorkha district. The Gorkha district is always taken as a centre of Nepalese politics. The voters take pride as conscious voters.

Nomination and Registration Process

The nomination process proceeded as laid down by the Election Commission.

Voters' Commitment

Voters, self motivated as they were, did not mind minor obstacles and cast their votes as committed voters on the Election Day.

Environment at Polling Center

Almost all polling centers were located in school buildings. There was sufficient space for voters to cast vote easily. Members of the election staff were selected from among school teachers, civil servants and employees of corporations.

Observance of the Code of Conduct

It was reported that the code of conduct was widely violated, but there was no mechanism to check it. The Election commission and the local administration were unable to do anything against the violation of the code of conduct.

Peace and Security

Temporary Police, Nepal Police and Armed Police were mobilized to maintain the law and order situation. In remote village the law and order situation was maintained by Maoists under their dominating influence. Election was free and fair but under Maoist domination.

Political Violence

The all party meeting was very effective to minimize political violence. The presence of security personnel was only symbolic. Security personnel believed that politics was the business of political parties and it was not necessary to interfere. In constituency no.3 in the remote part, Maoist cadres had torn the ID of NC cadres. It was reported that the remote northern part of the district was heavily influenced by Maoist activities. But Maoists denied this at an all party meeting.

Situation during Vote Counting

Vote counting proceeded in a peaceful manner. In constituency no.1 and 2, NC, CPN-UML and RPP complained that some of the polling booths had seen proxy voting excessively and called for re-election, but EC office rejected it. At an all-party meeting the EC office said that there was no evidence of proxy voting. Journalists, observers and political cadres were present in a significant number at the time of counting.

4.20 Syangja

Awareness on Constituent Assembly

While the CA election was considered very important by the literate persons and the new generation, illiterate and old people took it as a general election. EC, NGOs and clubs had launched voter education programs long before the polling day. In spite of such voter education program, a significant number of invalid ballot papers indicated that many people were confused about the election process. Double-marking in a ballot paper and use of fingerprints on empty ballot papers were found while counting. Use of double ballot papers confused the traditional voters and number of invalid ballot papers was quite significant. In many cases, many voters had marked twice in the same ballot paper. Many voters reported to our observers that they had not understood the meaning of proportional election system. The literate people got enlightened from news media and public discussions.

Nomination and Registration Process

The nomination process proceeded within the time frame set by the EC. Registration day was a kind of marriage festivity. Candidates accompanied by their cadres, supporters and band groups had left their party office for the EC office.

Voters' Commitment

Voters wanted politics to lead them to betterment of their day to day life style. Many of them were unaware about the new system and looked frustrated. Likewise, many of them didn't know that CA election was for drafting a new constitution for the country. They demanded roads, electricity and other developmental activities in their respective villages.

Environment at Polling Center

This district had the highest number of polling centers in the country. In constituency no.1, there were 131 polling centers. Likewise in no.2 and no. 3 there were 122 and 114 polling centers respectively. Most of the polling centers were located in areas accessible to majority of the voters. Based on comments of political cadres, some of the polling centers were re-allocated. Three temporary polling centers were established, one in district headquarters, the other two in army barrack and in jail. A good number of election staff, security officers and observers were motivated and no difficulty was reported at the time of polling.

Observance of the Code of Conduct

The major violator of the code of conduct was CPN-Maoist. Wall paintings were seen everywhere. Maoist cadres had influenced the EC staff and security persons in every polling centre. CPN-UML candidates when asked by our observers about Maoist domination replied that since they had to live in that village, they did not like to develop enmity and tussle with Maoist cadres. So, no complaint was registered by them.

In response to questions, the CPN-UML candidates replied that a woman cast her votes four times but they were unable to complain because of Maoist fear. While visiting the remote village 15-20km far away in Sapawl and Kokhe polling centres, our observation team noticed the same situation. Our observers reported that Kokhe polling centre did not look like polling booth but looked like Maoist shelter. The EC staff, security persons and Maoist cadres looked uneasy at the sight of our observers.

Maoists had dominated all remote places but the situation was normal in accessible places. Many observation organizations had chosen their observers from among political cadres and observation itself was not found fair and fearless.

Peace and Security

Temporary Police, Nepal Police and Armed Police were mobilized to maintain law and order but their presence was symbolic. They were unable to do anything against any political interference, mainly from Maoist cadres. The law and order situation was maintained under the influence of Maoists. Cadres of other political parties had no room to complain and had to accept this without hesitation. They were compelled to admit that election was free, fearless and peaceful.

Political Violence

No political violence was reported in the district. Cadres of many political parties showed a high degree of tolerance and were able to avoid clash in order to maintain peace.

Situation during Vote Counting

Ballot boxes were collected from remote places late in the evening of April 10. Counting started from April 11 at 1.55 pm in the presence of representatives of political parties, observers and journalists. A big crowd gathered at the time of counting. Results were announced by loudspeaker fitted mike and it was easy to listen from nearby market places. The counting process continued without a problem.

4.21 Kaski

Awareness on Constituent Assembly

Voters were excited to vote for their favoured candidates. They believed that CA election was an once in a life time process in the history of a country and it was a rare chance for them. Voters' awareness level was of a high and they avoided clashes that might occur. Highly committed voters belonged to the high income and highly literate groups, who interacted with tourists.

Nomination and Registration Process

The nomination process proceeded as per EC guideline, on February 25 in a peaceful manner.

Voters' Commitment

Constituencies no.2, 3 and 4 were observed by GEOC observers in the Kaski district. Before Election Day, there was prediction of a high degree of violence on Election Day. But no unusual event occurred. Interaction with tourists, education and economic well-being of the voters proved the prediction wrong. Despite intimidation everywhere, election became successful. Before election, RPP-Nepal President Kamal Thapa spoke in favor of constitutional monarchy at a mass meeting. CPN-Maoist cadres attacked the meeting and the situation became tense. There was fear that such violent might happen on the Election Day, but nothing happened. Supporters of the parliamentary system dominated the pro-monarch group and the situation remained normal under their influence.

Environment at Polling Center

Most of the polling centers were located in open space, mainly in school buildings. Such polling centers were central to the surrounding periphery area. The supporting EC staff, security persons, observers, and journalists had easy access to the polling center. On an average 10 security persons were mobilized in one polling center. Their presence, however, was only symbolic. According to our observers who reported from the Rupakot VDC, Kaski at Baruchowk polling booth 'A' where Khem Narayan Chapagain was the polling officer, the officer was participating in this election for the 16th time as election officer, and remarked that no other election was held before in such a peaceful and co-operative manner. He reported that this CA election was unique and highly successful.

Observance of the Code of Conduct

The major violator of the code of conduct was CPN-Maoist. Wall paintings, decoration of gates and excessive use of vehicles were common. CPN-Maoist cadres had spread such rumors that they had one instrument with the help of which they could know "who

cast votes to whom". This rumor affected simple and innocent voters. CPN-Maoists cast proxy for absentees voters. Other parties had also done the same. Intimidation and coercion of the voters was common, but polling was normal. In the Chardhiknola VDC Kaski, CPN-Maoists influenced the voters by using intimidation while NC and CPN-UML promised voters 'development' if they win election.

Peace and Security

The law and order situation and a peaceful environment were facilitated by all party meetings. The peace loving nature of voters also contributed to good security situation. Security persons seemed neutral and they did not interfere in any political affair. Voters were enthusiastic and they stood in queue from 6 o' clock in the morning.

Political Violence

No political violence was reported on the polling day. On the next day of the polling, secondary school student was killed by tempted political cadres.

Situation during Vote Counting

Vote counting proceeded without a problem.

4.22 Nawalparasi

Awareness on Constituent Assembly

There was a high level of awareness among voters. Common people were curious about CA. Media, especially FM Radio launched various types of debates and discussion program and common voters be benefited from them. FM radio broadcast various election campaign programs in local languages which increased awareness among voters.

Nomination and Registration Process

On February 25, in the first phase, 51 candidates and in the second phase on 6 March, 55 candidates had registered their candidacy. In the first phase, parliamentary parties registered their candidacy and in the second phase parties engaged in the Madesh movement had registered their candidacy. There were 106 although candidates in the Nawalparasi district.

Voters' Commitment

Backward communities were unaware and less interested in the polling process. Voter education was limited only to the urban and elite groups. Our reporters reported that in Kudeia, Rampurawa, Susta, Vujhawa, Gerni, Somani, Rampur, Khadoni, Kotthari, Dadajhari, Mainaghat and Hupseket VDCs voter education programs were conducted. Sample voting was conducted in 10 different places before polling.

Environment at Polling Center

Polling centers were fenced by wall, or barbed wires. In many places tents were used to protect voters from scorching rays of the sun. There was cordial atmosphere environment in the polling centers. Volunteers, party representatives, voters, observers, and polling staff were busy participating in the election process. Environment in the polling center

was full of excitement and enthusiasm. Election on the whole, was free, fair and without violence.

Observance of the Code of Conduct

The code of conduct was not followed in many places. Especially, wall paintings, decoration of gates and excessive use of vehicles were reported. Excesses were common. Voters suffered from intimidation.

Peace and security

All party meetings were held at district and local level. There were very effective and useful to maintain law and order. Various types of security circles were made in every booth. In each booth, four temporary police, three Nepal Police and 5-6 armed police were deployed. The presence of security persons was only symbolic as they were unable to interfere if clash erupted. To control such clash local security persons had to call mobile group. The security situation in village areas was worse. Air patrolling in the remote village indicated the presence of security persons, which assured some of the voters.

Political Violence

Polling started after the end of the campaign preceded by the arrival of the election staff and security personnel. On the eve of the Election Day, at 10.45 am, YCL attacked CPN-UML candidate Baijya Nath Chaudhary's vehicle. His driver was seriously injured being attacked with iron rod. In the Sunuwal VDC ward no.6, security persons arrested YCL activist. In Kurma VDC 3, on April 6, political violence erupted between NC activists and MJF activists and 9 activists from both parties were injured. In the election campaign on March 27, a jeep belonging to Rastriya Janamukti Party met with an accident. Three of its cadres died and 7 were critically injured. The polling process was postponed not due to political violence, but due to the mistake committed by the election staff in Lokshewa Lower Secondary School, Basantapur. That Election was held again on April 13.

Situation during Vote Counting

Counting proceeded without any major argument or problem.

4.23 Rupandehi

Awareness on Constituent Assembly

Literate and urban voters were excited to cast their votes, but disadvantaged communities were less motivated.

Nomination and Registration Process

Parliamentary parties registered their nomination on June 27 in the first phase. Madhesh-based agitating parties registered their nomination on March 6 in the second phase only after the agreement was reached between them and the government. Many mainstream political parties and newly-formed parties nominated independent candidates as dummy candidates to obtain more election materials and facilities such as vehicles and microphone.

Voters' Commitment

Majority of the voters were poor, illiterate and engaged in traditional farming. Their level of awareness was reported low and they were less motivated towards the voting process.

Environment at Polling Center

Most of the polling booths were located in school buildings. Arrangements The election staff, security persons, observers and journalists were mobilized to make the election that was held for the first time in the history of the country a success.

Observance of the Code of Conduct

The major violator of the code of conduct was CPN-Maoist, and other parties were unable to counter it. VDCs adjoining the Indian borders were under the control of Madhesh based armed political groups who threatened voters against casting their votes. Majority of the voters who were scared in these VDCs did not cast their votes. Proxy votes were wide and common. Minor voters were seen everywhere in the polling booths. Same persons with different identity cards were seen in various polling booths.

Peace and Security

Hill areas adjoining the district were influenced by Maoists' sister organization YCL and area adjoining the Indian border were influenced by Madhesh-based armed groups. Such groups threatened voters to cast votes for them and not to face undesired consequences if they did not voting for them. Intimidation of voters by armed political parties was common and voters lost their mental tolerance before election. During the election campaign, threats, kidnapping and destruction of infrastructures were common and the administration was unable to punish the vandalisers.. The administration in charge of security was unable to punish guilty at all as they were told that it was a political issue and not a security issue. Election Day was astonishingly peaceful against all expectations. Security personnel were mobilized in every village but their presence was symbolic as they were unable to intervene in any unexpected situation. The election was heavily influenced by major dominant groups.

Political Violence

No activities of political violence occurred on Election Day and the election passed off peacefully.

Situation during Vote Counting

Counting proceeded in a peaceful manner. A large number of political party representatives, observers and journalists were present.

4.24 Palpa

Awareness on Constituent Assembly

Palpa-based FM radio stations played a significant role in raising voters' awareness. Besides, the election office had also conducted voters' education programs and mock voting before Election Day. An all party meeting was held many times at different level. The District Election Office had organized a joint interaction program for observers including GEOC observers, media persons and political parties.

Nomination and Registration Process

The nomination process as per EC guideline proceeded without any interruption.

Voters' Commitment

CA election was special in the history of Nepal. A large number of migrant voters had returned home to cast their votes. Female voters were more motivated to cast their votes than males. Voters were, however, heavily influenced by Maoists.

Environment at Polling Center

Most of the polling centers were located in public schools. In many places, many polling booths were located in the same polling center with limited space.

Observance of the Code of Conduct

The code of conduct was not followed completely. Wall paintings, decoration of gates and excessive use of vehicles were common and it was taken as something normal. Intimidation, mental pressure, physical pressure on the voters was viewed as a common phenomenon in the election.

Peace and Security

An all party meeting became effective to maintain law and order despite the symbolic security presence.

Political Violence

In Palpa constituency no.3 Sidheswar VDC, on March 20 at 11.30 PM some unidentified group attacked NC supporters. NC blamed those attackers as being CPN Maoists although the later Maoists denied their involvement.

Situation Vote Counting

Counting proceeded without any major problem.

4.25 Arghakhanchi

Awareness on Constituent Assembly

The EC had conducted various campaigns like poster pasting, leaflet distribution and voter education program to motivate the voters. In some of the VDCs a drama group called *Serbanam* had staged various shows in many places. Middle class and literate voters were motivated and became highly enthusiastic to cast their vote but Dalit and village farmers were less aware and less motivated.

Nomination and Registration Process

The nomination process preceded normally situation as per EC guideline. Political activists were motivated to support the candidates favored by them. New voters aged 18-26 were found highly enthusiastic to cast their votes.

Voters' Commitment

Voters were very much committed to cast their votes. Since the polling date had been shifted many times in the past, there was doubt whether the April 10 election would be held on the scheduled date or not.

Environment at Polling Center

The election staff, security persons, observers, journalists and political cadres kept close watch on one another to maintain a peaceful environment. Polling centers were located in areas accessible to the voters in many places.

Observance of the Code of Conduct

The code of conduct was not followed. Many candidates violated the limits set by the Election Commission. Over expenditure of money was reported. Some of the candidates had also reportedly distributed rice and money to the voters, but there was no evidence of such distribution.

Peace and Security

In the beginning voters and election staff were less hopeful towards the election but an all party meeting made this possible to conduct the election successfully, for which CPN (Maoist) is responsible..

Political Violence

In the constituency number 2 tussles erupted between CPN (Maoists) and CPN (UML) and a CPN- Maoist cadre died. Nevertheless, these two political parties' tolerant attitude made the situation normal. All party meeting took the violation of the code of conduct seriously and the accused parties committed not to repeat such activities again.

Situation during Vote Counting

Vote counting proceeded without any major political debate. From constituency number 1 a CPN-Maoist candidate Top Bahadur Rayamajhi was declared winner and from Constituency number 2, NC candidate Puspa Bhusal won the election.

4.26 Baglung

Awareness on Constituent Assembly

Voters were generally enthusiastic about the CA election. In the rural areas, people were more conscious of the importance of their single vote and also of the regulation that their vote should not be invalid. There were door-to-door programs, meetings with the voters and mass meetings in Baglung and other localities. Maoist cadres were found moving around the ballot-box in some polling centers; and so voters were found intimidated. Apart from few exceptions, voters were found *jubilant* and active.

Nomination and Registration Process

Since Baglung is a hilly district, nomination procedure was already held on February 25, 2008 without any disturbance.

Voters' Commitment

Voters were highly committed. A one hundred ten year's old and disabled woman named Mrs Visnu Karki had cast her vote in Tahare Peepal polling center. Voters had come to the polling centre from distant places.

Environment at Polling Center

The environment at the polling center in Baglung Bazar was generally peaceful. Due to controversy among the political parties the polling on April 10, 2008 was postponed in Malika of Constituency No. 1, Sarkawa Rangkhani of Constituency No. 2 and Khunga of Constituency No. 3. Re-polling took place peacefully in all those postponed areas on April 17, 2008. There was nominal presence of the security personnel. Volunteers were mobilized. Children were found casting votes, proxy votes were cast on the name of some voters before they reached at the polling centers.

Observance of the Code of Conduct

Code of conduct was partially followed at the time of electioneering and polling. There were voters of 12 to 16 year's age in considerable number. Proxy voting was also found unchecked. Political parties' cadres wanted to postpone the election, creating problems even on simple issue. Electorates were found affected by panic and threats. Ballot-box was taken away from some centers at the time of voting due to controversies, and so polling was adjourned.

Peace and Security

Peace and security prevailed due to positive environment created by the political parties. Peace and security was disturbed only when there was bitterness among the political parties. Security personnel were not in sufficient number to control the situation, but the presence of mobile team was effective.

Political Violence

Although there were incidents of fighting and encounters, no human casualty occurred. It was limited in impact and it did not disturb the election.

Situation during Vote Counting

The announcement of the result of vote counting was held although there was minor contradiction during vote counting.

4.27 Dang

Awareness on Constituent Assembly

The people of Dang district had experienced the beginning of the armed rebellion called by CPN (Maoists) from 1996. They wanted peace. They had directly seen and experienced Hapure peace talks between the government and the Maoists which was broken when the government did not agree to the proposal of CA. The people of Dang were more enthusiastic and active for constituent assembly. The organized network of Civil Society was very conscious in Dang. However, they still had the memories of the past agonies and doubts about holding the election for CA.

Nomination and Registration Process

The election offices of all five constituencies of Dang district were in the compound of District Development Committee (DDC) building in district headquarters Ghorahi. Form distribution, complaint and registration procedure was made easy during the nomination period. All political parties had come to register their nomination in form of rally and traditional folk-dance. The Election Commission had determined the date for nomination form registration on February 25, 2008. Ten political parties and some free candidates registered their nomination forms on the very date. Later the Election Commission again extended the date till March 6, 2008

Voters' Commitment

This district is linked by the network of highways such as East-West Highway, Rapti Highway and Sahid Marg. There is presence of Tharu aborigines. The level of voters' commitment was high. Seven casualties occurred there due to gun firing in Lamahi on April 8, 2008. Despite this incident, the voters had cast their vote in great number and the election was held peacefully.

Environment at Polling Center

A total of 414 polling centers were set up at accessible places. The polling center of Purandhara VDC Ward-4, was not touched by motorway, and some voters of remote areas had felt inconvenience. Human resource at the polling centers was sufficient. Polling was managed by the mobile team of Election Commission on the electoral day. Ballot boxes from the polling centers were brought to the vote-counting place on vehicles whereas the ballot boxes from remote polling center were brought by helicopter.

Observance of the Code of Conduct

Political parties did not hang the banners. Various parties had displayed their slogans on the wall but they were erased later except those of Rastriya Jana Morcha Party which did not erase theirs saying that they did not have the budget for it. Civil society had noted the electoral code of conduct and had also emphasized on its observance by coordinating with all participants through their network. Thus they contributed to minimize violation of the code of conduct.

Peace and Security

Peace and security was not effective. Therefore, voters were suffering from fear.

Political Violence

Political violence decreased after the political parties involved in the Terai movement also registered their nomination form on March 6, 2008. An encounter took place between cadres supporting the Maoista and Nepali Congress on March 21, 2008. This caused injury to Ms Sushama Sharma Ghimire, the candidate of Maoist of constituency No. 5 while a few others were wounded.

Maoist youths caught a gang of 33 people, who were quite unknown to the locals, and handed them over to the police at the presence of Civil Society on April 7, 2008. Making issue of this, the Maoist youths' vehicle was shot at from the vehicle used by the candidate, Mr. Khum Bahadur Khadka of Nepali Congress of Constituency No. 1. The firing occurred at 7:45 p.m. on April 8, 2008. This incident occurred at a place at East-West Highway, the northern side of MDC building at Lamahi in Chailahi VDC, ward No. 2. Seven Maoist youths were dead and 20 were injured in this firing. Among the injured two had lost their body parts, 13 were seriously injured and five were wounded.

Situation during Vote Counting

Ballot boxes were brought to the office of the election officer in district headquarters Ghorahi on the very Election Day, April 10, 2008 till late night. Vote counting of all five Constituencies was held at different places. It started on April 11, 2008 and ended on April 15, 2008. Ballot boxes were in proper condition. Seal were not broken. The Election Officer had made all the political parties, candidates aware on the code of conduct before vote counting. He had already informed them about the problems that might come during vote counting period. Before vote counting, the Nepali Congress candidate of constituency No. 2, Mr. Krishna Kishore Ghimire, had registered his application with demand of re-polling in two polling centers. The election officer wrote a letter to the Election Commission for instruction. Citing absence of basis for re-polling, the Election Commission ordered to count the votes. According to this order, vote counting was started. Ballots without the signature of polling officer were found during the vote counting of Constituency No. 1 and 2. During vote counting, it was found that the ballots were given to the voters without tearing the receipt as the polling officials should have given the ballots keeping the receipt with them.

Such irregularities were found in Constituency No. 1 and 4. The presence of international observers in the vote-counting venue was nominal. They were very few in number. Vote counting was held peacefully.

4.28 Banke

Awareness on Constituent Assembly

Voters of Banke district were informed that they should vote for the CA. Communication media and NGOs were ahead in raising public awareness. Voters were looking forward to voting for Constitutional Assembly in anticipation of the end to conflict, peaceful life and economic progress after its completion.

Nomination and Registration Process

Election Commission had assigned the date for registering the nomination of the candidates from February 25 and 28, 2008, but the agitation by movement of different political parties of the Terai disturbed this. Due to this, the government negotiated with these political parties and reached an agreement with them. Accordingly, the date for registering the nomination of candidates was extended up to March 7, 2008. The political parties registered their nomination peacefully and enthusiastically on the very date.

Voters' Commitment

Voters were committed to taking part in the first election of the Constitutional Assembly. Voters had participated in the discussion programs with the political parties on their manifestos. Voters were hopeful that there would be peace after the election of CA.

Environment at Polling Center

Polling centers were set up at appropriate places for the voters. There were sufficient staff, volunteers and security members at every polling center. Still some election officers of some polling booths were complaining about not having sufficient security personnel. Aged and disabled people were given priority during voting hours.

Observance of the Code of Conduct

In totality, the political parties in this district did not violate the code of conduct before and during election.

Peace and Security

Peace and security was maintained at almost all the polling centers of Banke district. Security mobile teams were managed in such a way that they could be mobilized to every center within ten minutes.

Political Violence

During electioneering by political parties, the candidate of Rastriya Jana Morcha Mr. Kamal Prasad Adhikari was shot and killed by unknown persons. This created a tense situation in the district. After a few days, that tense situation cooled down. There was no other political violence on the Election Day.

Situation during Vote Counting

Ballot boxes were brought to the election office by 8 o'clock on April 11, 2008 after the completion of election.

4.29 Surkhet

Awareness on Constituent Assembly

Voters were generally conscious about CA. Voters were not enthusiastic although the Election Commission had run training programme to raise public awareness.

Nomination and Registration Process

The candidates of different political parties and independent candidates had their names registered in the election office accompanied by a procession of their cadres.

Voters' Commitment

The level of voters' commitment had increased due to discussion and interaction programs run by different NGOs and INGOs. Voters had come to vote with commitment. Their commitment increased also due to campaign by various political party representatives' who tried to impress the voters to be on their sides.

Environment at Polling Center

The election was held in Surkhet district peacefully and without any violence.

Observance of the Code of Conduct

Most of the cadres of Maoist had gathered round the polling centers wearing t-shirt having their printed election logo. They trawled around in jeeps and some of the cadres apparentus using those vehicles for ferry voters to the polling centres. Maoist cadre Mr. Dhruva Koirala sat in the polling center wearing their election logo printed t-shirt.

Peace and Security

Election was held peacefully for the second time after postponement. Although peace was disturbed due to the murder of UML candidate Mr Rishi Prasad Sharma of Constituency No. 1, peace and security were maintained due to concerned groups' decision of holding the election for that very Constituency on April 19, 2008.

Political Violence

Before the election, Mr. Rishi Prasad Sharma, the UML candidate of Constituency No. 1 was killed at 8.30 pm on April 8, 2008. No political party took responsibility for this. The CPN (Maoist) cadres had interrupted other political parties' campaign in some remote VDCs. They had threatened the voters of some remote VDCs of Constituency No. 3 that heads of the voters would be cut and thrown to the river if they did not cast their votes to Maoist party candidates. They had also threatened that if they were defeated in the election, the situation would be the same. The voters suffered from donation, property capture, and having to feed the Maoist cadres.

Situation during Vote Counting

The situation during vote counting and after the announcement of elected candidates was normal.

4.30 Jumla

Awareness on Constituent Assembly

Jumla, the headquarters of Karnali Zone, is known as a backward and geographically remote district. Most of the people here are compelled to live below the poverty line. The number of illiterate people is considerably high in this district. Awareness programs on Constitutional Assembly were widely run in this district. NGOs, Civil Society and Election Commission were directly involved in the awareness programs that helped raise the awareness level high.

Nomination and Registration Process

Different political parties of this district had registered their nomination. They had declared that they would maintain democratic norms and values.

Voters' Commitment

The level of the commitment of the voters of Jumla district was low in comparison to the voters of other districts. Some voters were distracted from participation due to pressures and threats.

Environment at Polling Center

Various public offices and organizations were active to stress the importance of the election being free and impartial through mutual cooperation. Still the voters in some polling centers had to face problem due to lack of required human resources.

Observance of the Code of Conduct

Although political parties were positive in their speeches on the code of conduct, they were just opposite in practice. At some polling centres Maoist cadres were found interrupting other party' representatives presence at the polling centers. Since, there were no other party representatives in some polling centers, the Maoists captured polling centers. Even some election observers violated code of conduct by electioneering for the Maoists.

Peace and Security

The condition of peace and security was not satisfactory. It could be evidently seen that the security members were like status, as they were not interrupting the Maoists' excesses. Temporarily appointed police were also seen to be involved in electioneering. Security members were inactive and so the election was partial.

Political Violence

There were no serious incidents except a few fights. It could be seen that Maoist cadres had controlled the mental state of the other party voters and the security members. Voters were not getting chance to vote freely in their own way peacefully.

Situation during Vote Counting

Vote counting was managed satisfactorily. It was accomplished transparently and impartially. The environment was peaceful even after the announcement of election result.

4.31 Mugu

Awareness on Constituent Assembly

There was significant increase in political consciousness among the voters of Mugu district. Political change had made the voters politically active. Despite increase in political consciousness, there is a strange political tradition in this district. According to this tradition, the political parties stage prophecy programs through the witch doctors one day before the Election Day. One party does this in one village and the other party in the other village, and the witch-doctor forecasts which party will win the election. The villagers gather together to hear the forecast. Those villagers are feted at feast. This tradition could be seen also in the election to CA.

Nomination and Registration Process

According to the schedule of Election Commission, the nomination procedure was completed on February 25, 2008.

Voters' Commitment

Although Mugu is a remote district, voters were committed to the election. Voters were hopeful that peace and security will follow and the pace of development and construction will accelerate. They were enthusiastic with the hope of ending the one-decade long violent conflict. Thus, they were not tilting to any political party and accepting some difficulties as normal.

Environment at Polling Center

The environment at polling centers was normal and was in accordance with the criteria determined by the Election Commission. There was presence of needed officials, security members, observers, journalists and the voters. Polling centers were at easy access to everyone, open, wire-fenced or rope-fenced. In some polling centers, there were very long queue of voters, so some of them had returned without polling. In some centers, volunteers campaigned to the voters pretending that they were providing water to them. The National Observers of GEOC had heard and seen that the observers of some organizations were electioneering at the polling centers openly, pleading to the voters, even going to the stamping place and making the voters cast their votes forcefully. Nobody protested against them. And as the National Observers of GEOC protested against them, so they moved away. Only the women officials had run the voting in the temporary polling centers of the DDC building of Mugu district.

Observance of the Code of Conduct

The code of conduct was nominally followed in Mugu district. The code of conduct was violated by political parties, voters, security members, as well as observers. The children aging 9 to 14 and having no adult franchise were found queuing up to cast the vote. There was all-party agreement at the local level that any member of a family could come and vote on the name of the other absent family member. Polling Officers reported that the children could not be stopped from voting if they came through all political parties' agreement. Electioneering around the polling centers and on the way was continuing even on the Election Day.

Peace and Security

Voters were very afraid of the Maoists, and there was lack of peace and security. They did not wish to comment about the Maoists. Even the voters of the district headquarters Gamgadi did not want to talk to the National Observers of GEOC. The main reason of this was the lack of peace and security. Due to lack of peace and security, the political parties' candidates' except Maoist's, could not approach the villagers to ask for votes. The condition of peace and security in Mugu district was one-sided.

Political Violence

There was no abnormal political violence on the very Election Day. Voters and political cadre did not make issue of the polling difficulties hoping that the CA election would end the ten-year long armed conflict and start the peace process and development.

Situation during Vote Counting

Vote counting was accomplished easily without any disturbance and difficulty.

4.32 Kailali

Awareness on Constituent Assembly

There was a high level of public awareness on Constitutional Assembly in Kailali district because political cadres, organizations, civil society and the Election Commission had launched programmes to raise it. However, public awareness was lower in rural areas.

Nomination and Registration Process

Different political parties had registered their candidates' nomination coming in strength with their cadres on the very day fixed by the Election Commission on March 26, and April 5, 2008 in two phases.

Voters' Commitment

Almost all the voters were enthusiastic about the election. Some of the voters had stamped their thumbprint instead of 'swastika' print on the ballot paper. The main cause of this was the lack of education among the voters.

Environment at Polling Center

There was good management for the voters to cast the votes. There were not more than 1150 voters in one polling centers. Aged and disabled voters were given priority. However, there was not sufficient space, and volunteers were not mobilized properly at some polling centers.

Observance of the Code of Conduct

The code of conduct was partly observed by the political parties, civil society, and observers. There was mutual understanding among political cadres and polling center officials prior to the election, and thus the election was held peacefully.

Peace and Security

There were 10-12 security personnel at every polling center. Peace and security was satisfactory, but not perfect. Peace and security was not established by the security police, but by the all-political parties' decision.

Political Violence

There was no political violence in Kailali district. There were disputes in a few places on the issue of party representatives during the election period. But this was solved through mutual discussion.

Situation during Vote Counting

Vote counting was held at three different places in this district. Vote counting of Constituency No. 2 and 4, Constituency No. 1, 5 and 6 and Constituency No. 3 was accomplished in DDC office, in the Regional Health Training Center and in Dhangadhi Municipality building respectively. Fifty security members were assigned to every vote-counting center. Seal number and ballot box were shown at the time of vote counting. Ballot papers of two ballot boxes were mixed for counting. The total number of voters of this district was 4,75,436, out of which, 2,85,354 votes were cast and 11,557 votes were invalid. The counting was completed in peaceful manner.

4.33 Bajhang

Awareness on Constituent Assembly

Voters of this district were conscious of the CA election due to visits by political leaders and F.M. radio programs. In addition, there were door-to-door party campaigns prior to the election. In comparison to the voters at headquarters and its surrounding, the backward area's voters were less conscious.

Nomination and Registration Process

Nomination registration procedure was completed peacefully from March 25 to 29, 2008 in accordance with the procedures determined by the Election Commission.

Voters' Commitment

Voters were committed to republican Nepal agenda that was anticipated through the CA election. There was no big conflict with the Maoists during the 10 years conflict period in Bajhang district. The people in this district did not have to experience the high handedness of the Maoists like the people of other places. Voters were enthusiastically waiting for the election and had used their franchise normally. They had strong desire for peace. Bajhang is a remote hilly district where Khases are in majority. There was no major conflict prior to the election in Bajhang and voters too did not have to face any disturbing situation. The environment prior to the election was peaceful.

Environment at Polling Center

Bajhung district was not dominated by any political party and all political parties had taken this district as the district in their own grip to win the election, and so the environment in

the constituencies was more peaceful than expected. Name of the political parties tried to disturb the election.

Observance of the Code of Conduct

Code of conduct was partially observed. There were incidents of vote casting by under-aged children, and of proxy votes. Anybody could vote for his/her family members. There was such an agreement among all party representatives'.

Peace and Security

Peace and security was maintained due to efforts from all sides. The role of security personnel was to assist only. Eight to fifteen police officers were mobilized in every polling center.

Political Violence

There was no political violence on the Election Day. Comparatively the election was peaceful. Voters were happy as the political activities were more peaceful than expected.

Situation during Vote Counting

Vote counting was completed peacefully except some conflict where there are two constituencies.

4.34 Kanchanpur

Awareness on Constituent Assembly

Various organizations and political parties had run many programs to increase public awareness among the voters. Through these programs voters were conscious of what the constitutional assembly is, how they should participate in the election, how to vote and what sort of change would come in the country if the election were be completed. Some organizations had attempted to increase public awareness through street drama.

Nomination and Registration Process

Registration procedure of the nomination of candidates was accomplished as determined by law. There was no conflict during the registration of nomination form.

Voters' Commitment

Voters were partially educated and alert. They had regarded the CA election same as the previous elections of House of Representatives. Voters' education volunteers hadn't informed the voters about the CA during their household visits. Some political parties had announced their commitments to development and reconstruction in their publicity material. Some voters of Udaya Secondary High School, Basantapur had cost their votes without stamping. The voters of the district headquarters were comparatively more conscious than the others.

Environment at Polling Center

The polling centers were located at places convenient to the voters. Eight to sixteen officials were appointed on the basis of voters' number for a polling booth. Queuing system for the voters was managed properly. Separate queues were organized for men and women voters. Disabled and aged voters were given priority over others without queuing. Security was well managed in the polling centre. The mobile team of armed police was present at every polling center. Sufficient electoral materials such as ballot, ballot boxes, ink etc were covered every polling centers. Volunteers had helped in the voting procedure being followed smoothly. YCL cadres were roaming inside and outside some polling centers wearing red headbands. Volunteers accompanied voters to a secret room in Ghatale Lower Secondary School, Polkhari polling center under Constituency number 3 and helped in stamping the ballot paper.

Observance of the Code of Conduct

The code of conduct was partially observed during the election period. Political parties were busy meeting with the voters even in the Zero hour prior. Flags of some political parties were seen furling near the polling centers of Janasewa Secondary High School, Haldukhal in Constituency number one even on the Election Day. The Maoist cadres were seen roaming prominently in constituency number one, two, three and four. Some Observers were also found involved in electioneering violating the Observers' code of conduct prior to the election. Various political parties cadre were ferrying the voters to the polling center using unauthorized vehicles in some VDC's of Constituency number one and two on the very Election Day.

Peace and Security

Peace and security was managed in Kanchapur district prior to and during the election. Nepal Army personnel were deployed in the Western passage, Gaddachanki one month prior to the election. India-Nepal border was completely sealed from the previous day of the election. Temporary police were also appointed sufficiently for the election. Both Nepal police and temporarily appointed police were deployed sufficiently at every polling center. Security system was strict to check unwanted incident in the district but the voters were not assured about peace and security environment.

Political Violence

Incidents of political violence did not occur in Kanchapur district during election period. Election was carried out peacefully.

Situation during Vote Counting

Vote counting in Kanchajpur district started on April 11, 2008. The vote counting of constituency number one was carried out in the hall of DDC whereas of two was in the hall of Municipality. The vote counting of constituency number three and four was carried out at local Bal Mandir. Journalists' were restricted in admission to vote counting place but some of them were allowed to enter inside from the second day. It was very difficult to enter inside the vote counting place even for the election monitors. From our observation, it was found that party representatives and officials were present at the vote-counting venue.

4.35 Dadeldhura

Awareness on Constituent Assembly

Election was held in Dadeldhura district on April 10, 2008. It was free, impartial and without any violence as the level of awareness was high. The election was conducted in a relatively peaceful manner although there was a tense situation in the district headquarters and in rural areas a few weeks before. According to our municipality, constituencies' level and VDC level Observers' reports, the election was accomplished peacefully and in an fearless environment at all polling booths.

Nomination and Registration Procedure

Nomination of the candidates and registration procedure was carried out in accordance with the law. There was no controversy in the nomination and registration procedure. Political parties had registered their nomination accompanied by a procession of their followers.

Voters' Commitment

Voters were generally educated and alert. They had regarded this CA election as the previous parliamentary elections. Voters' education volunteers had not informed the voters properly at the village and ward levels.

Observance of the Code of Conduct

The code of conduct was normally followed by political parties, civil society, election commission, staff, volunteers and observers. The election was carried out at all the polling centers following mutual discussion and understanding among political cadres and officials.

Environment at Polling Center

Peace and security was satisfactory in the whole district. Helicopters were patrolling over sensitive areas. Mobile team covered every polling center. Voting started at 7:0 a.m. in every polling booth. Voters number had decreased from 2 p.m. and all the voters had cast their votes by 4 p.m. Proxy voting was attempted but discouraged by party representatives. About 56 percent vote was cast in Dadeldhura district. Among 8500 cast votes 255 votes were invalid. Among the invalid votes, some were stamped in two places, some were not stamped and many of them were inked at the backside.

Political Violence

The CA election was carried out in Dadeldhura district peacefully without any violence during the election period.

Situation during Vote Counting

All the ballot boxes were brought to the headquarters by 9:0 a.m. on April 11, 2008 safely. But vote counting started only from 4:0 p.m. Vote counting venue was very peaceful and safe. But vote counting was postponed from 8:15 a.m. on the next day. This happened as the seal of main locker of the ballot box of the polling center of Durgashtan Primary School, Bhadrapur 4, Gunpal 114 was found broken. All parties' meeting was held for consensus. After the consensus, vote counting restarted at about 11:05 a.m.

National and international observers did not feel insecure. All the observers, journalists and human right supporters were allowed to enter inside the vote-counting place with proper identifications. To sum up, the election of Dadeldhra district was completed far better than it was expected. The representatives of many political parties had reported that the Maoists had put pressure on the voters of some rural areas to vote for them. Although Maoists had threatened the voters a few days ago, they did not apply pressure on the Election Day.

Summary Table of the Election Environment in the Observed Districts

S.N.	District	Public Awareness on CA election	Voters Commitment Level	Polling Centres Environment	Observance of Code of Conduct	Peace & Security Situation	Political Violence	Character of Election
1	2	3	4	5	6	7	8	9
1	Jhapa	Medium	High	Good	Violated	Maintained due to understanding among political parties	Clashes between political parties prior to election between UML and Maoists.	Maoists dominated election
2	Morang	Low	Normal	Normal	Violated	Presence of fear from assembled crowd among voters	Mental violence by political parties	Maoist dominated election
3	Sunsari	Medium	High	High level Management	Violated	Disturbed peace and security situation due to conflict among political parties	Clashes between political parties prior to election including death	Madhesi Janadhikar Forum dominated election
4	Dhankuta	Medium	High	High level Management	Violated	Efforts made to normalise situation by reinstating security base camp and police station	Clashes between political parties prior to election	Maoists dominated election
5	Sankhuwasabha	Low	High	Weak management & comment on far distance of polling center	Violated	Efforts made to normalize situation by mobilizing security personnel	Threatened by Maoists to kill UML activists	Maoists dominated election
6	Saptari	High	High	Proper management	Partially followed code of conduct	Election postponed in some polling centers of Constituency No.1 due to attempts to booth capturing by Maoists	Nullified political violence by security forces	Maoists dominated election
7	Siraha	Medium	High	High level Management	Wall painting, double-voting, underage voting	Security maintained due to presence of security personnel in certain polling centers	Repelled in some centers due to clashes between political parties	Madhesbadi parties dominated election

S.N.	District	Public Awareness on CA election	Voters Commitment Level	Polling Centres Environment	Observance of Code of Conduct	Peace & Security Situation	Political Violence	Character of Election
1	2	3	4	5	6	7	8	9
8	Dhanusha	High	Medium	High level Management	Misuse of vehicle, party gate construction, wall painting, underage voting	Normal due to heavy mobilization of security personnel	Increased violence after returning of security forces	Madhesbadi parties dominated election
9	Dolakha	High	High	Normal	Violated	Peace & security situation disturbed due to clash of political parties	Clashes between UML and Maoists in various polling centers and YCL tried to strike Khukuri	Maoists dominated election
10	Chitwan	High	High	Normal	Violated	Created trauma due to disturbance in security situation	Repolling at various centers due to clashes & conflict between different political parties	Maoists dominated election
11	Makwampur	Medium	High	High level Management	Partially followed	Maintained peace and security	A few events of political violence occurred.	Maoists dominated election
12	Lalitpur	High	High	High level Management	Partially followed code of conduct	Peace and security due to socio-economic development	A few events of political violence occurred.	Maoists dominated election
13	Kavre	High	High	High level Management	Violated	Peace and security due to commitment of political parties	Clashes between political parties (One sided voting by Maoists)	Maoists dominated election
14	Dhading	High	High	Fearful election	Violated	Gravely disturbed	Violent election	Maoists dominated election
15	Sindhupalchowk	High	High (Comparatively high participation of women)	Fearful environment	Violated	Peace and security due to fearful presence of Maoists	Violent election	Maoists dominated election
16	Nuwakot	High	High	Insecure situation	Violated	Fearful situation	Conflict between political parties; ballot box thrown out	Maoists dominated election

S.N.	District	Public Awareness on CA election	Voters Commitment Level	Polling Centres Environment	Observance of Code of Conduct	Peace & Security Situation	Political Violence	Character of Election
17	Tanahu	High	High	Normal peaceful	Partially followed	7 Mental pressure to vote by responsible political parties	8 Injury due to partial obstruction in election	9 Nepali Congress, UML and Maoists dominated election
18	Gorkha	High	High	Normal peaceful	Violated	One-sided peace and security in favour of Maoists parties	Trauma to voters	Maoists dominated election
19	Syangja	High	High	Normal peaceful	Violated	Peace and security due to understanding between political parties	Trauma to voters	Nepali Congress, UML and Maoists dominated election
20	Kaski	High	High	Normal peaceful	Partially followed	Peace and security due to mental fear	No substantial political violence	Nepali Congress, UML and Maoists dominated election
21	Nawalparasi	High	High	High level management	Violated	Symbolic presence of security personnel	Conflict between political parties	Madhesbadi parties dominated election
22	Rupandehi	Medium	Medium	Normal peaceful	Violated	Bad	Clashes between political parties	Armed groups dominated election
23	Palpa	High	High	High level management	Partially followed	Psychological pressure for candidates	Heavy clashes between political parties	Nepali Congress, UML and Maoists dominated election
24	Arghakhanchi	Medium	Medium	Normal	Violated	Peace and security due to understanding of political parties	Clashes between political parties	Maoists & Nepali Congress dominated election
25	Baglung	High	High	Fearful due to presence of Maoists activists	Violated	Bad	Clashes between political parties workers	Rastriya Janamorcha & Maoists dominated election
26	Dang	High	High	Fearful	Violated	Peace and security not maintained	Clashes between political parties including death of an individual	Maoists and Nepali Congress dominated election

S.N.	District	Public Awareness on CA election	Voters Commitment Level	Polling Centres Environment	Observance of Code of Conduct	Peace & Security Situation	Political Violence	Character of Election
1	2	3	4	5	6	7	8	9
27	Banke	Medium	Medium	Normal	Partially followed	Insecure feeling by voters	Clashes between political parties including death of an individual	Maoists and Nepali Congress dominated election
28	Surkhet	High	High	Normal	Violated	Insecure feeling by voters		Maoists and Nepali Congress dominated election
29	Jumla	Low		Normal	Violated	No reliable peace and security situation; Indifferent security forces in front of Maoists	Clashes between political parties including death of an individual	Maoists and Nepali Congress dominated election
30	Mugu	Low		Normal	Violated	No political parties can enter into village except Maoists/ Maintained one-sided peace and security situation	No violence in election day	Maoists and Nepali Congress dominated election
31	Kailali	Medium		Fearful	Violated	Satisfactory due to understanding by all political parties	No violence in election day	Maoists and Nepali Congress dominated election
32	Bajhang	Low		Normal	Violated	Peaceful	No violence in election day	Maoists and Nepali Congress dominated election
33	Kanchanpur	High	High	Properly Normal	Violated	Peace and security by deploying army in border	No violence in election day	Maoists and Nepali Congress dominated election
34	Dadeldhura	Low	Low	Normally managed	Partially followed	Presence of partial feeling of peace and security among voters	No violence in election day	Maoists and Nepali Congress dominated election
35	Udayapur	High	High	Normal	Violated	Satisfactory	Normal clashes Including abduction of Ashok Rai	Maoists and Nepali Congress dominated election

Quantitative Analysis

GEOC had prepared a checklist for collection of quantitative information. Four types of questionnaire were used to conduct interview. First questionnaire was about voter's information (Annex 4), second was about polling officers (Annex 5), third about political cadres (Annex 6), and fourth was about observers (Annex 8) themselves.

Questionnaires were provided multiple choices to the respondents. There was no compulsion to answer all the questions. Respondents could answer all questions or none of them or number of them. Hence, differences have been observed in different questions and answers in various tables.

5.1 Voter Information

Total number of respondents interviewed from 35 districts to collect voter information was 4514. The district wise detail is given below:

Table 1: District-wise Distribution of Voters

S.N.	District	Questionnaire Number	Percent
1	Jhapa	141	3.1
2	Morang	125	2.8
3	Sunsari	126	2.8
4	Dhankuta	125	2.8
5	Sankhuwasava	125	2.8
6	Saptari	116	2.6
7	Siraha	61	1.4
8	Dhanusa	125	2.8
9	Dolakha	124	2.7
10	Chitwan	140	3.1
11	Makawanpur	110	2.4
12	Lalitpur	149	3.3
13	Kavre	127	2.8
14	Dhading	68	1.5
15	Sindhupalchowk	122	2.7
16	Nuwakot	124	2.7
17	Tanahun	116	2.6
18	Gorakha	147	3.3
19	Syanga	117	2.6
20	Kaski	123	2.7
21	Nawalparasi	125	2.8

S.N.	District	Questionnaire Number	Percent
22	Rupandehi	147	3.3
23	Palpa	107	2.4
24	Arghakhanchi	98	2.2
25	Baglung	181	4.0
26	Dang	114	2.5
27	Banke	183	4.1
28	Surkhet	252	5.6
29	Jumla	119	2.6
30	Mugu	7	0.2
31	Kailali	247	5.5
32	Bajhang	113	2.5
33	Kanchanpur	195	4.3
34	Dadeldhura	97	2.1
35	Udayapur	118	2.6
	Total	4514	100

Thirty-five districts were selected to collect voters' information. The highest number of respondents 247 (5.5%) were from Kailali whereas the lowest were from Mugu 61 (0.2%)

Table 2: Respondents by Location

S.N.	VDC/Municipality	Number	Percent
1	Not mentioned	120	2.7
2	Municipality	546	12.1
3	VDC	3848	85.2
	Total	4514	100

Respondents from rural and urban are 85.2 percent and 12.1 percent respectively. Location of 2.7 percent respondents was not identified by our observers.

Table 3: Respondent's Knowledge of CA Election

S.N.	Knowledge	Number	Percent
1	Yes	4375	96.9
2	No	101	2.2
3	Not mentioned	38	0.8
	Total	4514	100

Majority of the respondents (96.9%) were aware of the voting process while some (2.2%) reported ignorance.

Table 4: Respondent's Sources of Information

S.N.	VDC/Municipality	Number	Percent
1	Media	2578	49.23
2	NGOs	304	5.82
3	Political Parties	1877	35.84
4	Others	477	9.11
	Total	5236	100

Many (49.23%) respondents got the election information from the media. A substantial numbers (35.84%) got information from political parties also.

Table 5: Knowledge of difference between CA and Parliamentary Election

S.N.	Difference in elections	Number	Percent
1	Campaign of political parties	751	13.15
2	Voting procedure	2293	40.16
3	Ballot paper	2036	35.66
4	No difference	215	3.76
5	Candidates	414	7.25
	Total	5709	100

Voters were asked about the difference between parliamentary, local and the CA elections. Many (40.16 %) respondents said that there was a difference in voting process of this election. Then 35.55 % said there was difference in ballot paper. A difference in campaigning style of political parties was reported by 13.15% respondents.

Table 6: Expected Outcome of CA election

S.N.	Expected Outcome	Number	Percent
1	End of political conflict	1473	28.55
2	Security a people's right	2961	57.48
3	Economic progress	540	10.46
4	Others	184	3.51
	Total	5158	100

The response to a question concerning the impact of election of the CA were asked to the respondents, majority of the respondents (57.48%) felt that peoples' right would be obtained by this election. About 28.55% respondents said it will end political conflict. Few respondents (10.46%) said it will lead to economic progress.

Table 7: Respondent's view on Impartiality in CA Election

S.N.	Impartiality in CA election	Number	Percent
1	Yes	3383	74.94
2	No	286	6.33
3	Don't know	782	17.32
4	Not mentioned	63	1.41
	Total	4514	100

Three-fourths of the respondents had said the election would be impartial. A few (6.33%) had said it would not be while 17.32% did not know.

Table 8: Respondent's threats, warn, coerce, bribe in CA election

S.N.	Intimidation, Warn, Coercion and Bribery	Number	Percent
1	Yes	266	5.89
2	No	4173	92.49
3	Don't know	75	1.62
	Total	4514	100

Overwhelming majority (92.49%) reported no threat, coercion or bribing while some (5.89%) said political parties had done so.

Table 9: Sources of Inspiration for CA election

S.N.	Sources of Inspiration	Number	Percent
1	Media	1944	34.54
2	Advocacy materials	840	19.92
3	Family	741	13.16
4	Political workers	1608	28.57
5	NGOs	238	4.22
6	Others	257	0.41
	Total	5628	100

Mass media (34.54%) followed by political workers (28.57%), advocacy materials (19.92%), family members (13.16 %) and NGOs (4.22%) were the motivational factors leading to their participation in CA election.

The factors disliked by the respondents during voting are summarized below (Table 10)

Table 10: Things disliked by Respondents during vote casting

S.N.	Dislike	Number
1	Small area/too long under the sun/longtime in the queue	1022
2	Dislike of Forum's (Bishwas groups) intervention	5
3	Wearing of cloths with political party's slogans/ Environment/bad attitude of agents	380
4	Use of children as volunteers/carriers	45
5	Use of alcohol/smoking	27
6	Lack of management of water/latrine (Weak Management)	569
7	Confusion due to two types of ballot paper	270
8	Slow functioning of Polling Officers/bad behavior of staff members	35
9	Weak security management/lack of coordination between staff members and security personnel	471
10	Retreated vote cast/proxy vote cast/incentive	234
11	Thump marking on the ballot paper	21
12	Misunderstanding between the parties	188
13	Small marking area of ballot paper	29
14	Weaknesses of volunteers	271
15	Slow functioning of staff	86
16	Late start of the voting	19
17	Name missing in the voter's list	133
	Total	3805

5.2 Responses by the Polling Officer

Volunteer multiple choice questionnaires was prepared to interview 2607 Polling Officers from 35 districts as follows:

Table 11: Interview of Polling Officers

S.N.	District	Number	Percent
1	Jhapa	126	4.8
2	Morang	82	3.1
3	Sunsari	75	2.9
4	Dhankuta	66	2.5
5	Sankhuwasava	76	2.9
6	Saptari	71	2.7
7	Siraha	53	2.0
8	Dhanusa	75	2.9
9	Dolakha	66	2.5
10	Chitwan	82	3.1
11	Makawanpur	59	2.3
12	Lalitpur	90	3.5
13	Kavre	74	2.8
14	Dhading	69	2.6
15	Sindhupalchowk	51	2.0
16	Nuwakot	77	3.0
17	Tanahun	68	2.6
18	Gorakha	30	1.2
19	Syanga	64	2.5
20	Kaski	71	2.7
21	Nawalparasi	75	2.9
22	Rupandehi	96	3.7
23	Palpa	70	2.7
24	Arghakhanchi	58	2.2
25	Baglung	83	3.2
26	Dang	81	3.1
27	Banke	82	3.1
28	Surkhet	165	6.3
29	Jumla	65	2.5
30	Mugu	13	0.5
31	Kailali	165	6.3
32	Bajhang	48	1.8
33	Kanchanpur	96	3.7
34	Dadeldhura	57	2.2
35	Udayapur	28	1.1
	Total	2607	100

The maximum number of interview of Polling Officer (6.3%) was from Kailali district and the number (0.5%) was from Mugu district.

Table 12: Urban and Rural Distribution

S.N.	VDCs/Municipality	Number	Percent
1	Not mentioned	29	1.1
2	Municipality	387	14.8
3	VDCs	2191	84.0
	Total	2607	100

The proportion of respondents from rural areas was (84 %) while (14.8 %) was from urban areas.

Table 13: Election Management Experiences

S.N.	Experiences	Number	Percent
1	Easy	2228	86.45
2	Different	298	11.56
3	Not mentioned	51	1.99
	Total	2577	100

While majority (86.45%) of Polling Officers said there was comfortable management of CA election, some said it was uncomfortable (11.56%). Very few of them (1.99%) did not respond.

Table 14: Reasons for Difficulty

S.N.	Reasons	Number	Percent
1	Lack of security	57	19.12
2	Lack of sufficient staff	13	4.36
3	Lack of trained staff	21	7.04
4	Lack of Volunteer's cooperation	20	6.71
5	Stationery shortage	14	4.69
6	Insufficient ballot boxes	2	0.67
7	Timely accessibility of ballot	4	1.34
8	Candidate dispute	8	2.68
9	Lack of awareness of voting process	39	13.08
10	Anomalies in name, age and other things	63	21.14
11	Dispute among voters	35	11.74
12	Others	22	7.38
	Total	298	100

Lack of adequate security was major difficulty encountered in CA election (19.12%) followed by inaccurate name, age and other things (21.14%) and lack of adequate awareness among the voters about the ballot paper (13.08).

Table 15: Polling Officer Experience in conducting CA election

S.N.	Experiences in conducting CA Election	Number	Percent
1	Good	1946	74.64
2	Satisfactory	578	22.17
3	Average	48	1.84
4	Not mentioned	35	1.34
	Total	2607	100

A majority of Polling Officers (74.64%) replied that the election was good. While many (22.17%) said it was satisfactory.

Table 16: Political Parties' Cooperation

S.N.	Types of Cooperation	Number	Percent
1	All Parties Cooperated well	1972	64.27
2	Fair Cooperation	76	2.47
3	Did not cooperate as expected	45	1.46
4	Cooperated for security management	248	8.08
5	Good management of physical facilities	161	5.24
6	Cooperation from all stakeholders	539	17.56
7	Demand for setting up polling centers	11	0.35
8	Pressure for volunteer appointment	16	0.52
	Total	3068	100

Majority of the Polling Officers (64.27%) reported that cooperation from all political parties led to success of the election followed by cooperation from all stakeholders (17.56%).

Table 17: Compliance of the Code of Conduct

S.N.	Code of Conduct Compiled	Number	Percent
1	Yes	2443	93.70
2	No	79	3.03
3	Don't know	23	0.88
4	Not mentioned	62	2.37
	Total	2607	100

Majority of the Polling Officers (93.70) reported that Code of Conduct was followed while only very few (3.03) told that it was not followed.

Table 18: Stakeholders not following the Code of Conduct

S.N.	Stakeholders	Number	Percent
1	Candidates	17	15.88
2	Political Parties	56	52.33
3	Government	5	4.67
4	Staffs	6	5.60
5	Observers	5	4.67
6	Others	18	16.82
	Total	107	100

Majority of the Polling Officers (52.33%) reported that Political Parties were the chief violators of the code of conduct followed by candidates (15.88%), the Staff (5.60%) while some (4.67%) felt that the election observers also violated.

5.3 Feedback from Cadres of Political Parties

In total, 3120 cadres from various political parties from in 35 selected districts were interviewed to gather their feedback.

Table 19: Respondents on the basis of Political Workers by the District

S.N.	District	Number	Percent
1	Jhapa	132	4.2
2	Morang	75	2.4
3	Sunsari	75	2.4
4	Dhankuta	74	2.4
5	Sankhuwasava	75	2.4
6	Saptari	72	2.3
7	Siraha	57	1.8
8	Dhanusa	75	2.4
9	Dolakha	74	2.4
10	Chitwan	85	2.7
11	Makawanpur	77	2.5
12	Lalitpur	91	2.9
13	Kavre	73	2.3
14	Dhading	72	2.3
15	Sindhupalchowk	85	2.7
16	Nuwakot	78	2.5
17	Tanahun	119	3.8
18	Gorakha	48	1.5
19	Syanga	72	2.3
20	Kaski	75	2.4
21	Nawalparasi	75	2.4
22	Rupandehi	96	3.1
23	Palpa	70	2.2
24	Arghakhanchi	62	2.0
25	Baglung	105	3.4
26	Dang	91	2.9
27	Banke	151	4.8
28	Surkhet	231	7.4
29	Jumla	72	2.3
30	Mugu	13	0.4
31	Kailali	231	7.4
32	Bajhang	69	2.2
33	Kanchanpur	120	3.8
34	Dadeldhura	77	2.5
35	Udayapur	73	2.3
	Total	3120	100

The highest numbers of respondents (7.4%) were from Surkhet and Kailali districts and the lowest number (0.4%) were from Mugu district.

Table 20: Political Cadres' Knowledge of Election Procedure

S.N.	Cadres' Knowledge	Number	Percent
1	Yes	3026	96.98
2	No	37	1.18
3	Don't know	20	0.64
4	Not mentioned	37	1.18
	Total	3120	100

Almost all (97%) political cadres reported they were familiar with Election Procedures, only (1.18%) talked about total ignorance.

Table 21: Political Workers' View on Free, Fair and Fearlessness

S.N.	Free/ Fair	Number	Percent
1	Yes	2734	87.62
2	No	265	8.49
3	Don't know	58	1.85
4	Not mentioned	63	2.01
	Total	3120	100

Most of the workers (87.62) felt the election was held in a free, fair and fearless environment while a few (8.49%) reported that it was not so.

Table 22: Reasons given for being not fair

S.N.	Reasons	Number	Percent
1	Campaign in violation of code of conduct	147	39.72
2	Expenses beyond limit	61	16.48
3	Incomplete Voters list	85	22.97
4	Others	77	20.81
	Total	370	100

Election campaigns in violation of the Code of Conduct was reported to be the main (39.72%) cause affecting the free and fairness of the polls followed by incomplete voter list (22.97%) and over expenses (16.48%).

Table 23: Responsible Stakeholders for Irregularity

S.N.	Responsible	Number	Percent
1	Foreign influence	18	3.55
2	Government/Security Personnel	80	15.81
3	Election staff	43	8.49
4	Political parties	172	33.99
5	Candidates and their supporters	117	23.12
6	Voters	21	0.04
7	Volunteers	24	4.74
8	Others	31	6.12
	Total	506	100

The election unfairness was reported to have resulted due to political parties (34%) followed by candidates and their supporters (23.12%), government/security person (15.81%) and election staff (8.49%). The dislike factors of the respondents are as following:

Table 24: Things liked by Political Workers

S.N.	Things liked	Number
1	Many seats in Constituent Assembly	74
2	Separate line/distribution of water/separate management for handicapped, pregnant women and old people	269
3	Coordination meeting/no disputes/understanding among stakeholders	568
4	Fair/ Compliance of code of conduct/peace/well disciplined	1377
5	Polling center managed/timely start	354
6	Good behavior of staffs	371
7	Active participation/well/equal	726
8	Friendly behave between agents	26
9	High Volunteer cooperation by Observer Participation	309
10	Good security	416
11	Active participation of women	44
12	Participation of	66
	Total	4490

5.4 Observers' Feedback

Feedback from 1034 observers from 35 districts was collected.

Table 25: Distribution of Observers by Districts

S.N.	District	Number	Percent
1	Jhapa	59	5.7
2	Morang	52	5.0
3	Sunsari	25	2.4
4	Dhankuta	26	2.5
5	Sankhuwasava	25	2.4
6	Saptari	24	2.3
7	Siraha	38	3.7
8	Dhanusa	25	2.4
9	Dolakha	25	2.4
10	Chitwan	25	2.4
11	Makawanpur	25	2.4
12	Lalitpur	30	2.9
13	Kavre	25	2.4
14	Dhading	25	2.4
15	Sindhupalchowk	23	2.2
16	Nuwakot	25	2.4
17	Tanahun	24	2.3
18	Gorakha	22	2.1
19	Syanga	24	2.3
20	Kaski	24	2.3
21	Nawalparasi	26	2.5
22	Rupandehi	28	2.7
23	Palpa	22	2.1
24	Arghakhanchi	21	2.0

S.N.	District	Number	Percent
25	Baglung	25	2.4
26	Dang	51	4.9
27	Banke	47	4.5
28	Surkhet	88	8.5
29	Jumla	24	2.3
30	Mugu	9	0.9
31	Kailali	26	2.5
32	Bajhang	23	2.2
33	Kanchanpur	28	2.7
34	Dadeldhura	21	2.0
35	Udayapur	24	2.3
	Total	1034	100

Table 26: Urban and Rural distribution of Observer

S.N.	VDC/Municipality	Number	Percent
1	Municipality	137	13.2
2	VDC	897	86.8
	Total	1034	100

The distribution of Observers in urban and rural area was 13.2% and 86.8 respectively.

Table 27: Appropriateness of location of Polling Center

S.N.	Appropriate	Number	Percent
1	Yes	952	92.06
2	No	74	7.15
3	Not mentioned	8	0.77
	Total	1034	100

92.06 percent of observers said that polling centers were located in appropriate places and 7.15 percent said polling centers were not convenient to the voters.

Table 28: Views on wall and fence around Polling Centers

S.N.	Description	Number	Percent
1	Yes	854	82.59
2	No	161	15.57
3	Not mentioned	19	1.83
	Total	1034	100

Majority of the observers (82.59) said polling center were walled and fenced. Only 15.57 percent said they were not.

Table 29: Queue Arrangement for Voters

S.N.	Queue	Number	Percent
1	Yes	977	94.48
2	No	46	4.44
3	Not mentioned	11	1.06
	Total	1034	100

According to the observers, 94.48 percent of polling centers had well organized queues and 4.44 percent said they did not have to stand in queue. Only 1.06 percent did not respond about the queue.

Table 30: Arrangement inside Voting Areas

S.N.	Good Management	Number	Percent
1	Yes	987	95.45
2	No	35	3.38
3	Not mentioned	12	1.16
	Total	1034	100

Majority of the observers (95.45) found proper arrangement within polling centers and only 3.38 percent did not find it. And, 1.16 percent of the observers did not respond.

Table 31: Situation within the Distance of 200m Polling Center

S.N.	Good Situation	Number	Percent
1	Yes	147	14.22
2	No	863	83.46
3	Not mentioned	24	2.32
	Total	1034	100

83.46 percent of the respondent felt that the code of conduct was not adequately followed within the distance of 200 meter of the polling center.

Table 32: Security Personnel in Polling Center

S.N.	Description	Number	Percent
1	Satisfactory	767	74.18
2	Average	245	23.69
3	Poor	11	1.06
4	Not mentioned	11	1.06
	Total	1034	100

Approximately 75 percent of the observers were satisfied regarding the distribution of security personnel in polling center, 23.69 percent said it was average and only 1.06 percent found it was lacking.

Table 33: Security Situation on the Polling Day

S.N.	Adequate	Number	Percent
1	Yes	940	90.90
2	No	63	6.09
3	Not mentioned	31	3.01
	Total	1034	100

Majority of the observers (90.90 percent) reported that the security situation on the polling day was good and 6.06 percent said that it was not good. Only 3.01 percent observers did not respond.

Table 34: Security for Free Voter Movement

S.N.	States	Number	Percent
1	Good	888	85.88
2	Not so good	129	12.48
3	Bad	1	0.097
4	Not mentioned	16	1.55
	Total	1034	100

About 85.88 percent of the observer said that the security system to ensure free movement to the polling center was good and 12.48 percent said it was not so good. Very few said it was bad.

Table 35: Security for Candidates and Workers

S.N.	Adequate	Number	Percent
1	Yes	899	86.94
2	No	108	10.44
3	Not mentioned	27	2.62
	Total	1034	100

Majority (86.94 percent) of the observers felt there was adequate security for candidates and political workers and 10.44 percent reported that it was not sufficient for them.

Table 36: Access to Polling Centers

S.N.	Access	Number	Percent
1	Restricted	20	1.93
2	No problem to go inside	958	92.65
3	Got the permission later	34	3.29
4	Not mentioned	22	2.12
	Total	1034	100

About 92.65 percent observers said that they had no problem getting inside the polling center, 3.29 percent got permission later and only 1.93 percent did not get permission to enter polling centers.

Table 37: Opening of Polling Centers

S.N.	Opened	Number	Percent
1	7 o'clock	1004	97.10
2	8 o'clock	13	1.26
3	Not mentioned	17	1.64
	Total	1034	100

Majority of the polling centers opened at the scheduled time of 7 o'clock (97.10%) and few (1.26%) opened at about 8 o'clock.

Table 37: Distribution of Polling Centers Opening Late

S.N.	District	VDC/Municipality	Polling Center	Time
1	Dhankuta	Marekahare	Marek Dharmodaya Polling Center	7.48
2	Saptari	Goithi	Bhawani Radha, Sa.Primary School, Goithi Ka, Kha	8.0
3	Dhanusa	Sirsiya	Sirsiya	8.0
4	Dhanusa	Gopalpur	Ja. Ma. Bi. Go	8.0
5	Dhanusa	Debadiha	VDC Office	8.0
6	Dhanusa	Bahuaruwa	Basudev Secondary School, Ka, Kha	7.45
7	Dhading	Madhuwan	Panchakanya Primary School	8.0
8	Dhading	Dhola	Kalika Lower Secondary School, Dhola	7.30
9	Nuwakot	Dansingh	Dansingh Secondary School Ka, Kha, Ga	8.20
10	Baglung	Jaidi	Jaidibare	7.45
11	Baglung	Khukhani	Khukhani	7.30
12	Surkhet	Birendranagar Municipality	Bhairab Secondary School	8.0
13	Jumla	Gotichoury	Gothichaur, 1, 2	7.20

The distribution of the polling centers in 8 districts that opened late is mentioned in the above table 37.

Table 38: Sufficiency of Election Materials in Polling Centres

S.N.	Description	Number	Percent
1	Ballot Box	1001	18.24
2	Ballot Paper	999	18.20
3	Stationary	920	16.76
4	Ink	986	17.96
5	Secret Room	919	16.74
6	Curtain in Secret Room	663	12.08
	Total	5488	100

The required election equipments and materials were distributed sufficiently in all the polling centers which is shown in the above table 38.

Table 39: Information on the start of Election Process and Observation of Ballot Box

S.N.	Status	Number	Percent
1	Informed	879	85.0
2	Not informed	95	9.20
3	Not mentioned	60	5.8
	Total	1034	100

About 85 percent of observers informed about the start of election process and allowed to observe the ballot box. Only 9.20% said they were not informed.

Table 40: Observation of Seal Number and Ballot Box Sealing

S.N.	Observation	Number	Percent
1	Done	900	87.04
2	Not done	86	8.32
3	Not mentioned	48	4.64
	Total	1034	100

Eighty seven percent observers observed the seal number and sealing of ballot box used in the election.

Table 41: Voters returned because of name in the voter list

S.N.	Description	Number	Percent
1	Returned	515	49.81
2	Not returned	451	43.62
3	Not mentioned	68	6.57
	Total	1034	100

Out of total (49.8%) of those not having name in the voting list were returned and 43.62% managed to vote.

Table 42: Priority offered to disable, blind and physically disabled in voting

S.N.	Priority given	Number	Percent
1	Yes	982	94.97
2	No	17	1.64
3	Not mentioned	35	3.39
	Total	1034	100

About 95 percent disabled, blind and physically weak people got the priority in voting.

Table 43: Distribution of marked on the finger of voters after voting

S.N.	Description	Number	Percent
1	Yes	991	95.84
2	No	5	0.48
3	Not mentioned	35	3.68
	Total	1034	100

About 95.84 percents told that they had marked in the finger nail as the evidence of participation in election.

Table 44: Distribution of signature of the polling officer in the ballot paper

S.N.	Description	Number	Percent
1	Yes	1002	96.90
2	No	2	0.20
3	Not mentioned	30	2.90
	Total	1034	100

Almost all (about 96.90%) told that the polling officer had signed the ballot paper during election.

Table 45: Distribution of Secret Place for Stamp

S.N.	Description	Number	Percent
1	Yes	980	98.78
2	No	26	2.51
3	Not mentioned	28	2.69
	Total	1034	100

About 98.78 percent told that there was a secret place to stamp the ballot paper. Very few (about 2.55%) responded negatively.

Table 46: Distribution of illegal group or person in the polling center

S.N.	Description	Number	Percent
1	Yes	964	93.23
2	No	27	2.61
3	Not mentioned	43	4.16
	Total	1034	100

About 93.23% responded that there were illegal group or persons in the polling center during election.

Table 46 (Ka): Distribution of Polling Center where illegal group or person at the time of vote casting

S.N.	District	VDC/ Municipality	Polling Center
1	Jhapa	Satashidham	Satasi Primary School 'Kha'
2	Sunsari	Dhuski	79 ka
3	Sunsari	Sonapur	Sonapur Jut Bikas
4	Sunsari	Sripur	Sripur Rastriya Lower Secondary School
5	Dhankuta	Bhirgaun	Mageshowri Primary School
6	Dhankuta	Khoku	Kanyadevi Lower Secondary School, Khaku
7	Shankuwasava	Makalu	Makalu Hemadi Lower Secondary School
8	Saptari	Simraha	
9	Siraha	Arnama	Maheshpur Dhoke Primary School Ka
10	Siraha	Arnama	Maheshpur Dhoke Primary School Kha
11	Siraha	Arnama	Balkalyan Primary School, Lalpur
12	Siraha	Madar	Madarasa Madar
13	Siraha	Chandraayodhayapur	Srija Secondary School, Chandralalpur
14	Dhanusa	Lagama	Lagama Kha
15	Dhanusa	Debpura	Janata Secondary School Ka, Kha, Ga
16	Dolakha	Jhule	Amar Secondary School, Jhule, Ka, Kha, Ga
17	Dolakha	Namadu	Kalika Lower Secondary School
18	Dolakha	Gaurishankar	Risinam
19	Dhading	Madhuwan	Panchakanya Primary School
20	Dhading	Kumpur	Kumpur Ka
21	Sindhupalchowk	Sanusiruwari	Kalleri Primary School Ka, Kha
22	Tanahun	Jamune	Pasale Lower Secondary School
23	Tanahun	Risti	VDC Office, Risti, Phedi Ka, Kha
24	Argakhanchi	Chidiya	Chandra Secondary School, Ka
25	Baglung	Amalachour	Prithvi Higher Secondary School
26	Baglung	Hatiya	Hatiya
27	Baglung	Jaidi	Jaidibare

The table 46'ka' shows the polling centers where illegal group or persons were present at the time of voting.

Table 47: Illegitimate Voting

S.N.	Description	Number	Percent
1	Yes	91	8.8
2	No	858	82.0
3	Not mentioned	85	8.2
	Total	1034	100

Out of total, 8.8% voters reported voting even though their name was not in the voter list.

Table 48: Proxy Vote by others

S.N.	Description	Number	Percent
1	No	752	72.73
2	Yes	224	21.66
3	Not mentioned	58	5.61
	Total	1034	100

Our observers reported that 21.66 percent voters could not cast their vote as others had already cast it before they reached the polling station.

Table 49: Voting Obstruction

S.N.	Description	Number	Percent
1	No	921	87.13
2	Yes	72	6.96
3	Not mentioned	61	5.90
	Total	1034	100

Only 6.96% of Observers reported that there was an obstruction in voting while a majority (87.1%) reported that there was absence of any type of obstructions during voting.

Table 50: Reasons for Obstruction and Voting

S.N.	Description	Number	Percent
1	Lack of election materials	1	1.38
2	Dispute in election process	18	25.0
3	Natural condition	5	6.94
4	Bad security system	7	9.72
5	Fighting between parties	34	47.22
6	Booth captured	3	4.16
7	Looting of booths	4	5.55
	Total	72	100

In majority of the places where obstruction occurred, our Observers reported that (47.2%) was due to fighting between party followed by dispute (25%) and bad security (6.9%).

Table 51: Staffs of voters queuing up after 5 o'clock

S.N.	Description	Number	Percent
1	No	915	88.50
2	Yes	50	4.83
3	Not mentioned	69	6.67
	Total	1034	100

According to our Observers, there was queuing in 5 % of the polling stations after 5 O'clock.

Table 52: Voting by those in the queue after 5 O'clock

S.N.	Voted	Number	Percent
1	Yes	20	40.0
2	No	30	60.0
	Total	50	100

About 60% voters in queue got chance to vote while 40% could not.

Table 53: Observation of the ballot box sealed and issuance of seal number

S.N.	Description	Number	Percent
1	Yes	889	86.00
2	No	37	3.56
3	Not mentioned	108	10.44
	Total	1034	100

Sealing of the ballot box was observed by (86%) Observers while very few (3.56) did not get to do so.

Table 54: Incidences at Polling Centers

S.N.	Description	Number	Percent
1	Wearing shirt marked with political slogans	35	52.24
2	Political party (Maoist) involved	14	20.90
3	Effect of the event on election (fear environment)	6	8.96
4	Effect of the event on election (destroyed card identity)	12	17.90
	Total	67	100

Against the Code of Conduct 52.24 percent Observers reported that wearing marked shirt was major activity in the polling center followed by involvement of political parties - Maoist (20.90%) followed by destroying identity card (17.90%) percentage and creation of fear environment (8.96%).

Table 55: Incidences Observed during Election Campaign

S.N.	Description	Number	Percent
1	Involvement of Children as a Volunteer	26	49.06
2	Political party Involved (Maoist)	13	24.53
3	Effect of the event on election (obstruction of advocacy)	14	26.41
	Total	53	100

During the election campaign, involvement of children as a Volunteers were in significant number (49.06%).

Table 56: Incidence during vote Counting Event

S.N.	Description	Number	Percent
1	Skirmishes at night	2	33.33
2	Political party Involved (Forum)	2	33.33
3	Effect of the event on election (fear environment)	2	33.33
Total		6	100

During vote counting at night, skirmishes were observed as major unwanted event. The creation of fear environment resulting from skirmishes at night was also due to absence of representatives at night

Table 57: Other event related to election

S.N.	Description	Number	Percent
1	Fighting/beating	7	63.64
2	Political Party Involved (unidentified)	1	9.09
3	Effect of the event on election (absence of representative)	3	27.27
Total		11	100

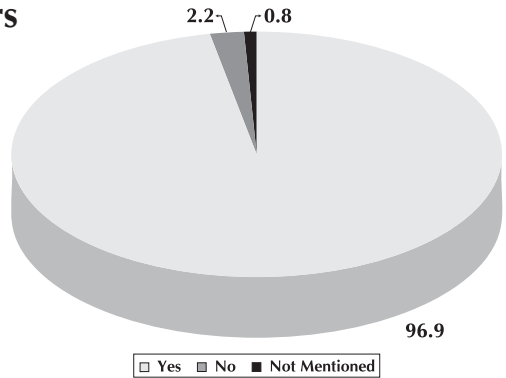


Observation Report in Graphic

6.1 Response by the voters

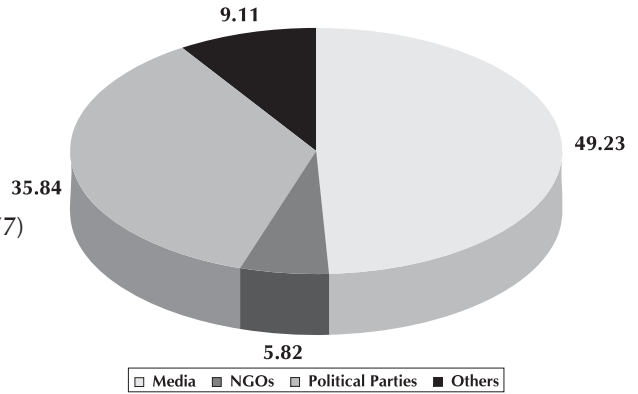
1. Are you aware of voting for the Constituent Assembly?

- Yes (4375)
- No (101)
- Not mentioned (38)



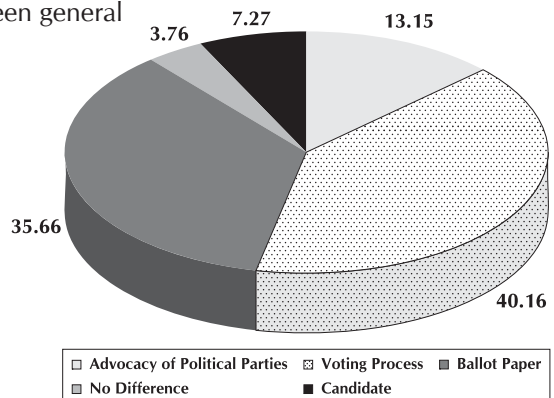
2. If yes, how did you know?

- By media (2578)
- By NGOs (304)
- By political parties (1877)
- Others (477)



3. What is the difference between general election and CA election?

- Advocacy of Political parties (751)
- Voting process (2293)
- Ballot paper (2036)
- No difference (215)
- Candidate (414)



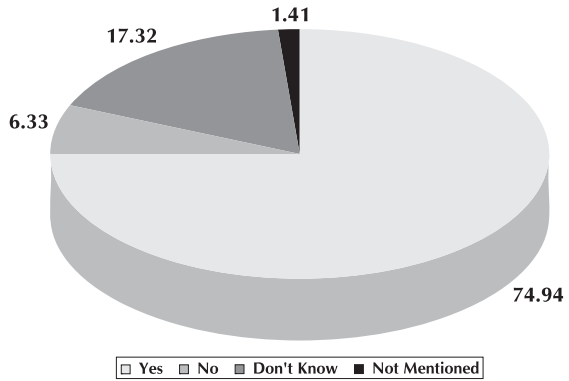
4. What will happen if Constituent Assembly election is held successfully?

- End of political conflict (1473)
- Securing of people's rights (2961)
- Economic development (540)
- Others (184)



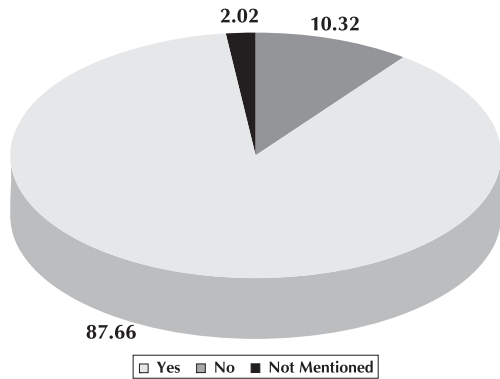
5. In your opinion, will Constituent Assembly Election be fair or not.

- Yes (3383)
- No (286)
- Don't know (782)
- Not mentioned (63)



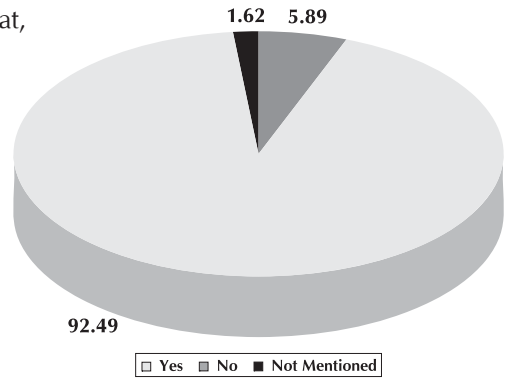
6. Are you feeling insecure to vote today?

- Yes (466)
- No (3957)
- Not mentioned (91)



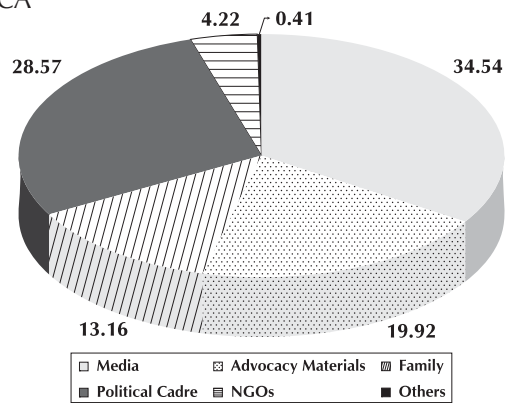
7. Is anyone giving you any warning, threat, financial allurements to vote for party/candidate?

- Yes (266)
- No (4173)
- Not mentioned (75)



8. Who encouraged you to participate in CA election?

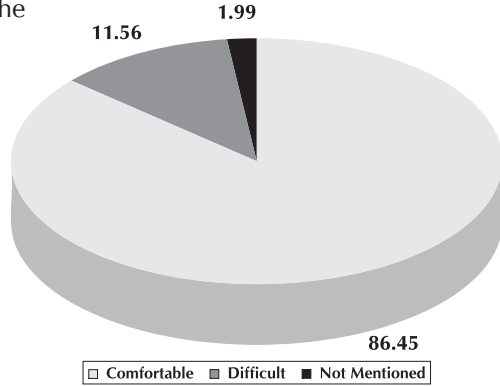
- Media (1944)
- Advocacy materials (840)
- Family (741)
- Political cadre (1608)
- NGOs (238)
- Others (257)



6.2 Response by the Polling Officer

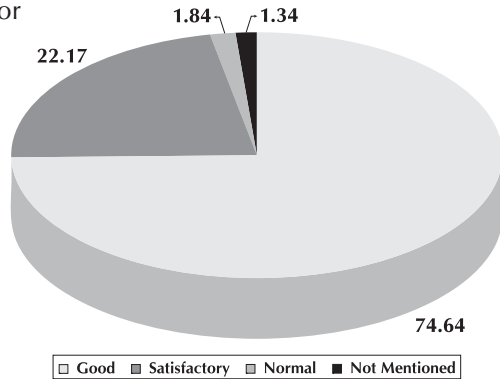
9. Are you comfortable re-implementing the voting procedure?

- Comfortable (2228)
- Difficult (298)
- Not mentioned (51)



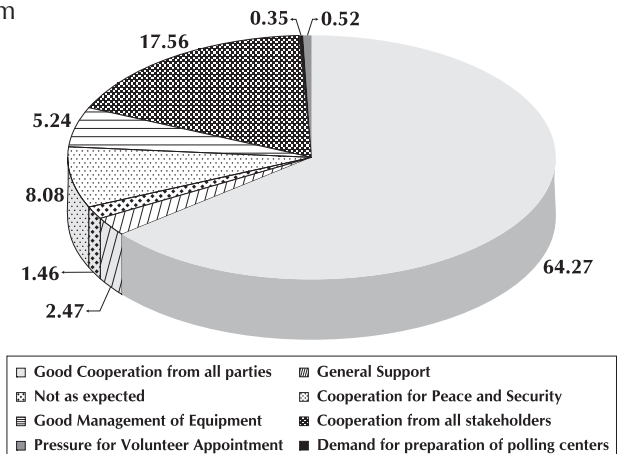
10. What is your assessment about voting for CA?

- Good (1946)
- Satisfactory (578)
- Normal (48)
- Not mentioned (35)



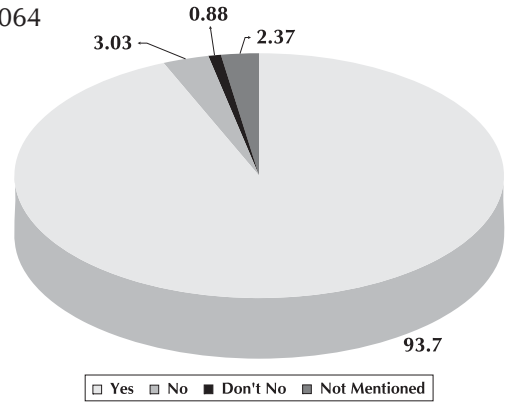
11. What kind of help did you get from political parties in this election?

Description	No. of Polling Officer
Good cooperation from all parties	1972
General support	76
Not as expected	45
Cooperation for peace and security	248
Good management of equipment, transport, and other facilities	161
Cooperation from all stakeholders	539
Demand for preparation of polling center	11
Pressure for volunteer appointment	16
Total	3068



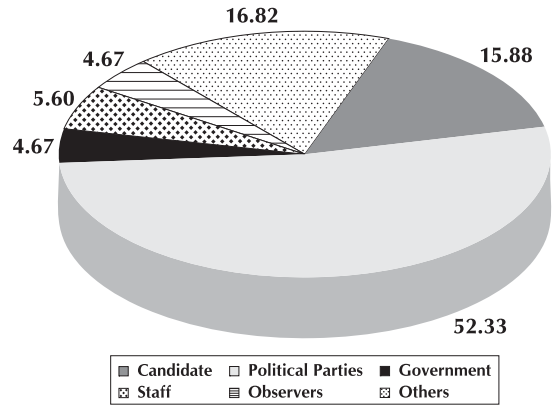
12. Has the CA election code of conduct 2064 been breached?

- Yes (2443)
- No (79)
- Don't know (23)
- Not mentioned (62)



13. If yes, from whom?

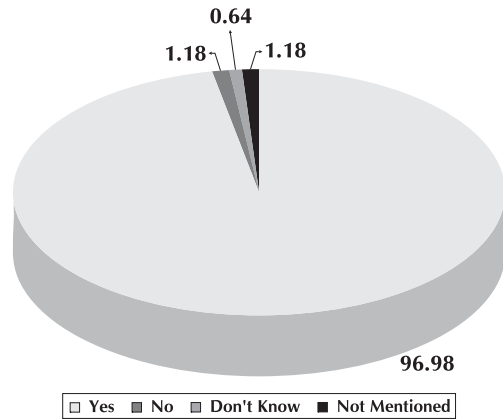
- By candidate (17)
- By political parties (56)
- By government (5)
- By staff (6)
- By observers (5)
- Others (18)



6.3 Response by the political workers

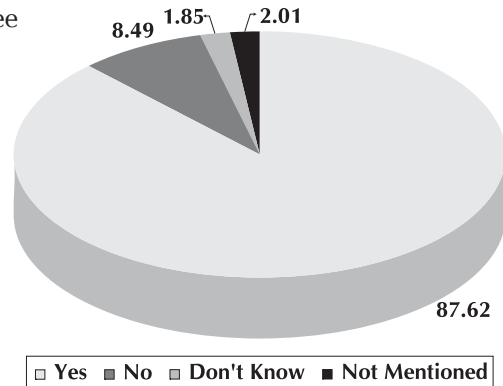
14. Do you know about CA election procedure?

- Yes (3026)
- No (37)
- Don't know (20)
- Not mentioned (37)



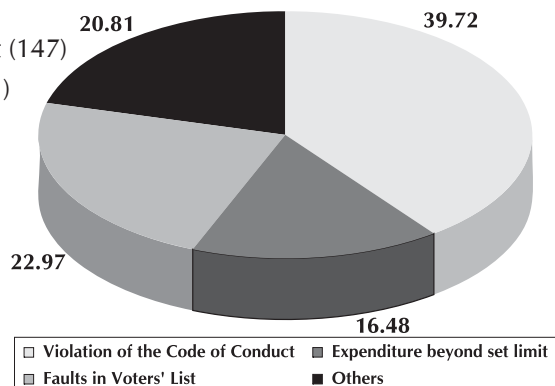
15. Do you think the CA election is fair, free and fearless?

- Yes (2734)
- No (265)
- Don't know (58)
- Not mentioned (63)



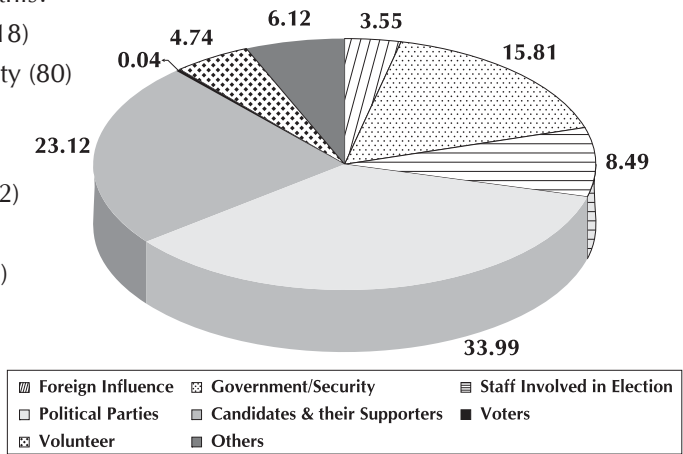
16. If not, what is the reason?

- Violation of the code of conduct (147)
- Expenditure beyond set limit (61)
- Faults in voters' list (85)
- Others (77)



17. Who is responsible for this?

- Foreign influence (18)
- Government/Security (80)
- Staff involved in election (43)
- Political parties (172)
- Candidates and their supporters (11)
- Voters (21)
- Volunteers (24)
- Others (31)

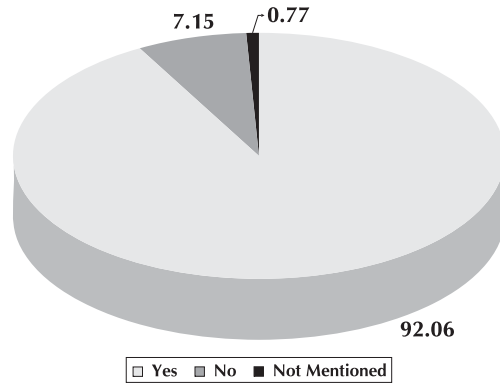


6.4 Response by the Observers

Section 'A' Observation regarding the polling center

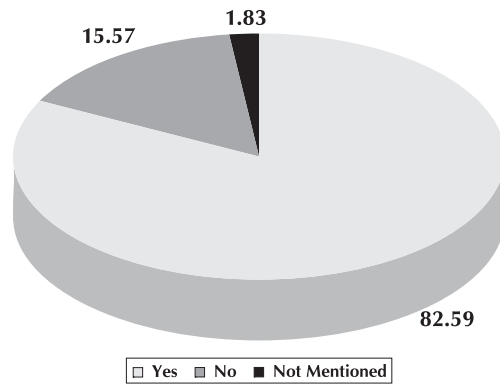
18. Is the polling center at a location accessible to voters?

- Yes (952)
- No (74)
- Not mentioned (8)



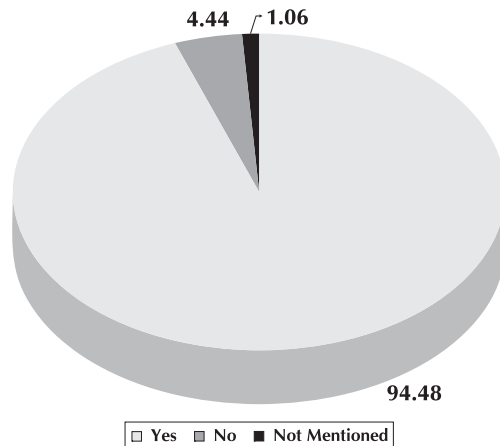
19. Is there any wall or fence around the polling center?

- Yes (854)
- No (161)
- Not mentioned (19)



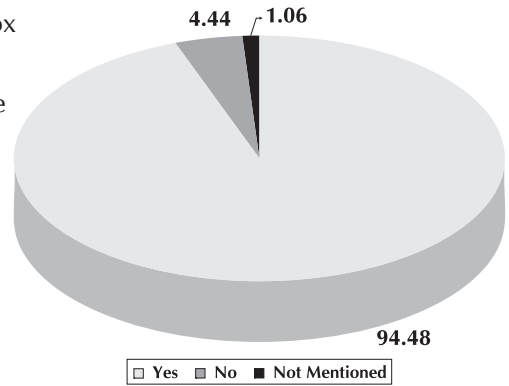
20. Is the arrangement in polling center appropriate for the voters to queue up?

- Yes (977)
- No (46)
- Not mentioned (11)



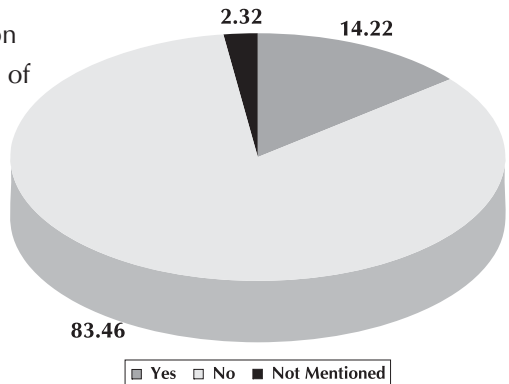
21. Is there proper arrangement for secret voting, for safe keeping of the ballot box and for office room, chair and table for volunteers and the polling officer in the polling center?

- Yes (987)
- No (35)
- Not mentioned (12)



22. Is there any public display of political party's banner, poster and other election campaign materials within the distance of 200 meters as per election procedure?

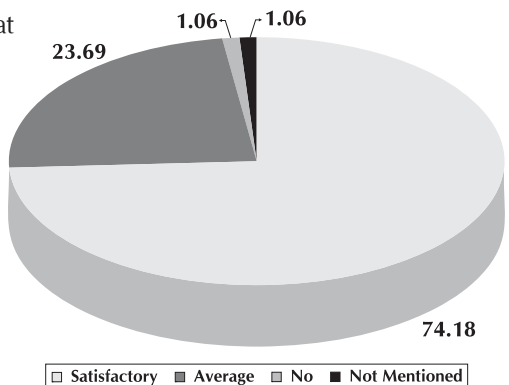
- Yes (147)
- No (863)
- Not mentioned (24)



Section 'B' Observation regarding election security

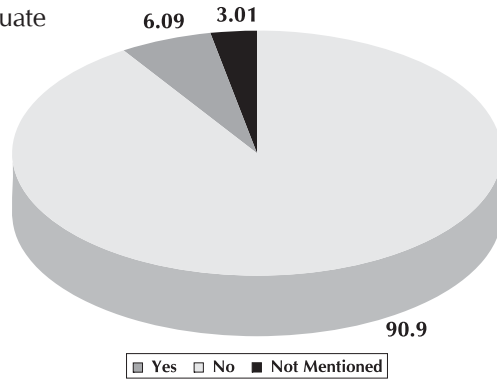
23. Are there sufficient security personnel at the polling center?

- Satisfactory (767)
- Average (245)
- Not satisfactory (11)
- Not mentioned (11)



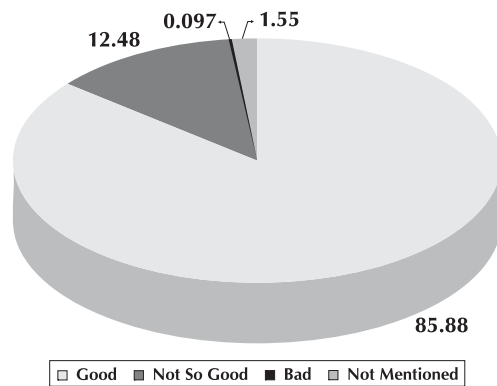
24. Is the government able to arrange adequate security during the polling day?

- Yes (940)
- No (63)
- Not mentioned (31)



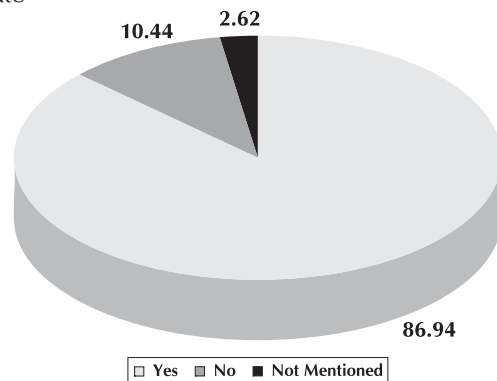
25. How was the security arrangement for voters to walk to the polling center?

- Good (888)
- Not so good (129)
- Bad (1)
- Not mentioned (16)



26. Did the voters and the political candidate feel secure?

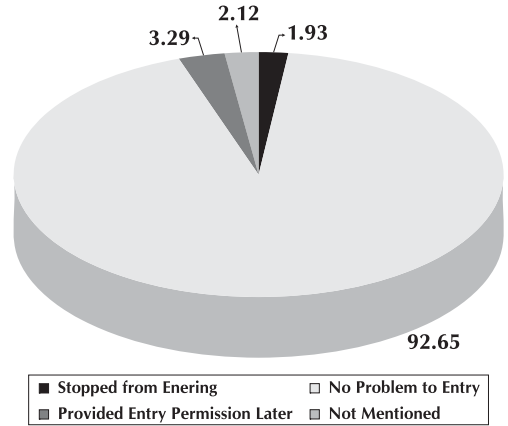
- Yes (899)
- No (108)
- Not mentioned (27)



Section 'C' Observation regarding the voting procedure

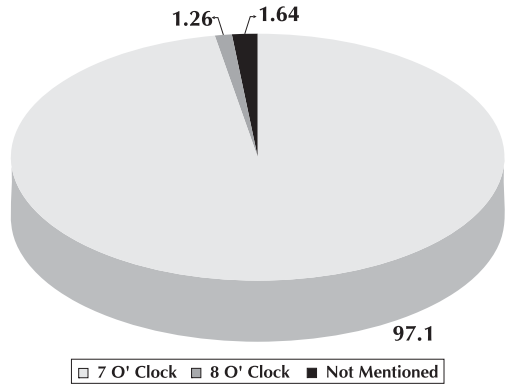
27. Did you face any problem to enter the polling center?

- Stopped from entering (20)
- No problem to enter (58)
- Provided entry permission later (34)
- Not mentioned (22)



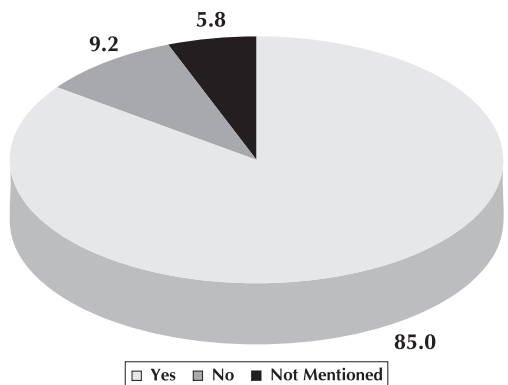
28. When did the polling center open?

- 7 O'clock (1004)
- 8 O'clock (13)
- Not mentioned (17)



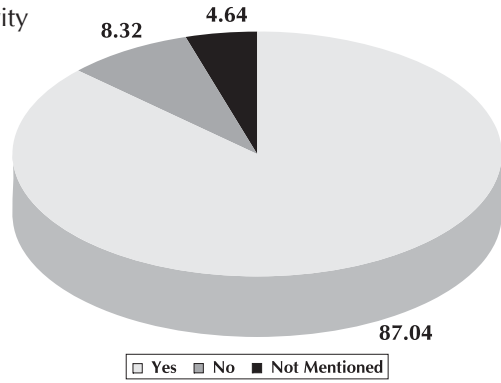
29. Were you informed of the election procedure and allowed to observe the ballot box when polling started?

- Yes (879)
- No (95)
- Not mentioned (60)



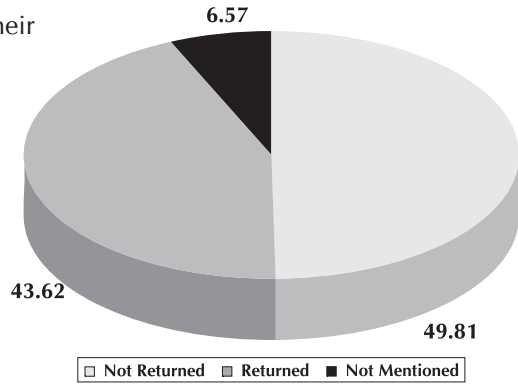
30. Were you allowed to observe the security seal and the allotment of seal number when polling started?

- Yes (900)
- No (86)
- Not mentioned (48)



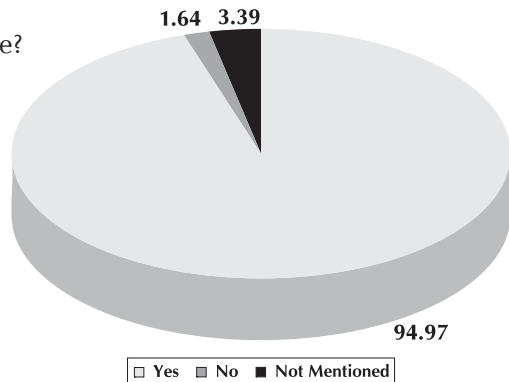
31. How many voters returned because their names were not on the voting list?

- Not returned (515)
- Returned (451)
- Not mentioned (68)



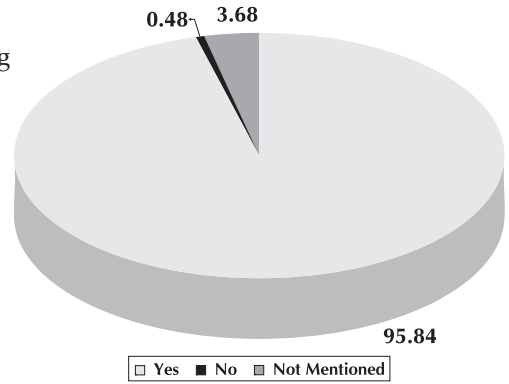
32. Did the disabled, blind and physically handicapped people get priority to vote?

- Yes (982)
- No (17)
- Not mentioned (35)



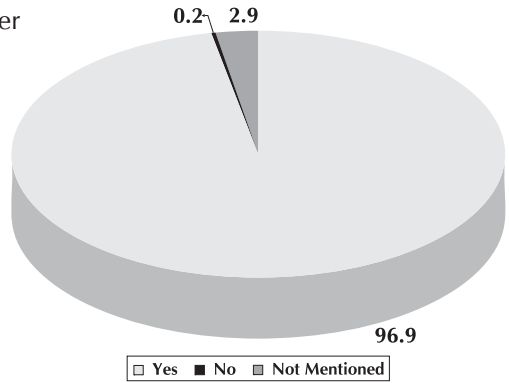
33. Did the polling officer put mark on the finger of voters immediately after voting paper was handed over?

- Yes (991)
- No (5)
- Not mentioned (38)



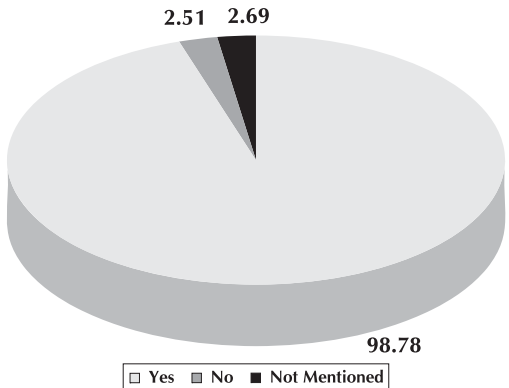
34. Was there signature of the polling officer in the ballot paper given to the voters?

- Yes (1002)
- No (2)
- Not mentioned (30)



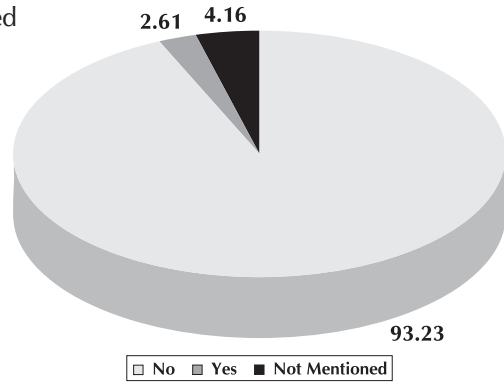
35. Were voters able to cast their votes secretly?

- Yes (980)
- No (26)
- Not mentioned (28)



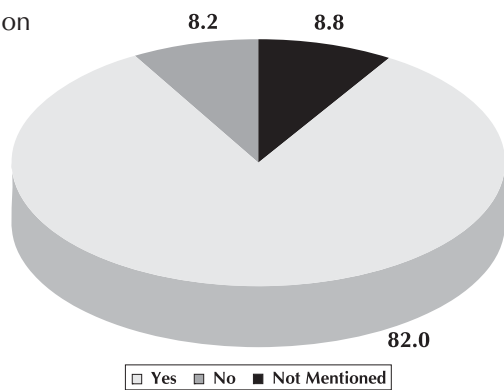
36. Was there any presence of unauthorized group or person in the voting room?

- Yes (27)
- No (964)
- Not mentioned (43)



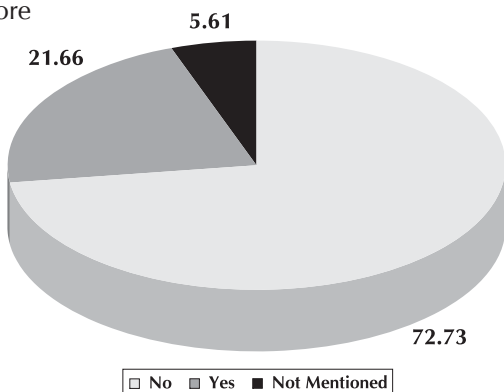
37. Did anyone vote whose name was not on the voting list?

- Yes (91)
- No (858)
- Not mentioned (85)



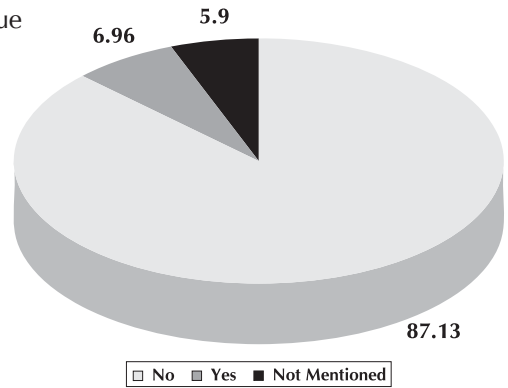
38. Was there any such case where someone else had already cast a voter's vote before he/she arrived to vote?

- Yes (224)
- No (752)
- Not mentioned (58)



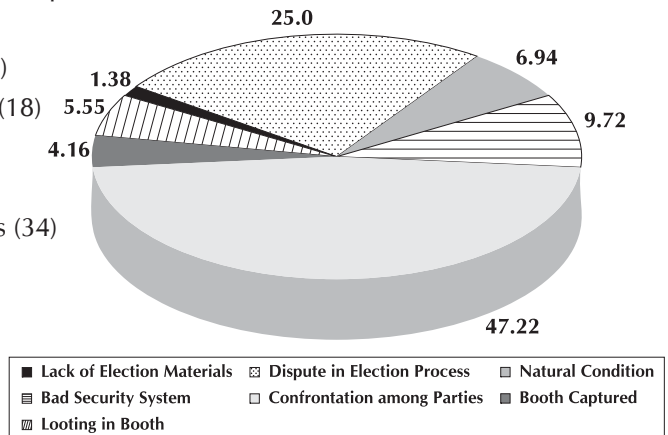
39. Was the election process interrupted due to any undesirable activity?

- No (901)
- Yes (72)
- Not mentioned (61)



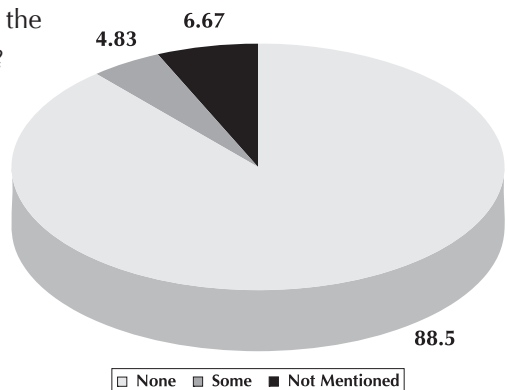
40. If yes, what were the reasons? (Multiple answers possible)

- Lack of election materials (1)
- Dispute in election process (18)
- Natural condition (5)
- Bad security system (7)
- Confrontation among parties (34)
- Booth captured (3)
- Looting in booth (4)



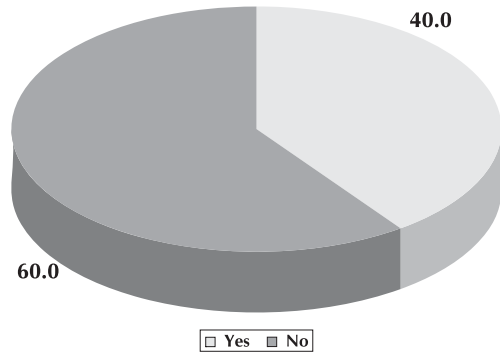
41. How many voters were in the queue at the polling center closing time (5 o' clock)?

- None (915)
- Some (50)
- Not mentioned (69)



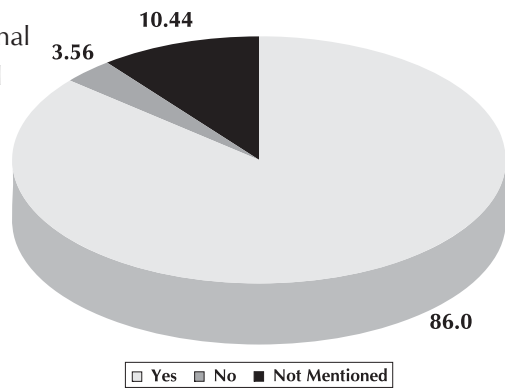
42. Did those in the queue get a chance to vote?

- Yes (30)
- No (20)



43. While the ballot box was sealed after completion of voting, were there national observers or representatives of political parties to observe the ballot box?

- Yes (889)
- No (37)
- Not mentioned (108)



Conclusion and Recommendations

The CA election, which was postponed twice, was finally conducted peacefully barring a few incidents. The peaceful election was the result of coordination, devotion and skill of the assigned officials, security personnel, observers, journalists, Election Commission, Nepal Government, political parties and especially the voters. Voting was completed within the specified timeframe due to addition of more polling centers. This was one positive aspect of this election.

At some polling centers, the number of security personnel was considerably low in comparison to the number of voters. The Maoists who participated for the first time in the elections were found to have adopted forcible means to influence the voters in their favour such as threats or intimidation. Other political party leaders were unable to oppose such tactics for fear of disturbing peace. The passive posture adopted by the local party workers made it difficult for the election officials to exercise their authority delegated by the Election Commission. Lack of the polling officer's signature on some ballot paper, ballots being invalid, stamping for more than one candidate, stamping not by the election symbol but by finger print, were found at the time of vote counting. This indicated that awareness programmes for the voters were not sufficient. Voters, candidates and party representatives had not come to a polling center at the Rastriya Primary School of Saptari district at the specified time due to intimidation. Cases of proxy votes were found nominal. But, there was no objection raised to those nominal cases by representatives of other candidates. The percentage of voting was extremely high in some hilly districts like Gorkha. But, this occurrence was not analyzed by the Election Commission officials. Such extra-ordinary results should be properly investigated in future elections.

7.1 Conclusion

Most constituencies showed large number of absentee voters but some proxy voting took place mostly in city constituencies. Expenditures submitted by the candidates are not convincing as they do not match with the on-the-spot expenses in the constituencies. There should be a mechanism to undertake public audit of the expenses by the concerned authorities. This would help observance of the code of conduct and encourage practice of politics with ethics. Political parties and the candidates have campaigned remarkably well in the mountainous part of the country despite difficult geographical terrain, lack of communication, problems of transportation, hostile weather and the low level of consciousness of the voters. Although election took place peacefully on the Election Day, it was carried out under the shadow of the political dominance of the Maoists or

other regional forces in most of the districts. It seems essential that analysis should be undertaken on how much the election was affected by allurements, fear, and threat.

7.2 Recommendations

The environment inside the polling centre was peaceful and the officials maintained high degree of impartiality. However, the environment outside the polling centers was not completely free from intimidation and threats. The political parties should end their muscle-flexing attitude and the election cycle should be free from intimidation and be in line with international standards. Some recommendations are made herein to the stakeholders.

7.2.1 Political Parties, Candidates

- a. Political parties and the candidates should be more tolerant, they should assure free and unrestricted access to other political parties in their area of influence though they may not accept other parties' policies, programs and ideology. They should develop the culture of tolerance toward the candidacy of other parties.
- b. They should help create fearless environment and follow the code of conduct literally respecting the freedom of choice of the voters.
- c. About 39.72 percent of the political cadres have conceded that the code of conduct was violated during electioneering which breached the impartiality, freedom and fearlessness during elections.
- d. During the CA election, the polling officers and political parties took lead in organizing all parties' meetings to sort out local contentious issues and make the voting procedure smooth. Such practice should be continued in the next elections as well.
- e. Political parties and the candidates should be more conscious of the ignorance of the voters such as stamping with fingers, stamping on many places, and inking the ballot while folding. Also, they should be careful about voting by under-aged person, voting by those who do not have their names on the voters' list, voting on the names of the dead ones and of those who were absent in the country.
- f. Political parties and candidates should be more alert during voting and vote counting.

7.2.2 The Election Commission

- a. Government school teachers who are politically affiliated, and NGO representative, officials should not be employed for any electoral task.
- b. It will be appropriate to assign university lecturers to the electoral tasks.
- c. The candidates and other concerned groups found to have violated the code of conduct during elections should be unfailingly punished according to the prevailing law.

- d. Proxy voting has considerably decreased compared to the previous elections in which verification of identity card was mandatory. But this time, such verification was waived, which facilitated impersonation. Hence, verification by some identity card should be made a must in future elections.
- e. Although, there were improvements in the location of polling booths, still some polling centers were located at inaccessible places for the voters, and sub-polling centers in some places were arranged too close to polling centers. This should be corrected during elections in future.
- f. Electronic voting machine seemed more effective, so its use should be increased in future.
- g. The expenditure details submitted by the candidates should be publicly audited at the local level.
- h. The qualifications of national and district level observers should be updated to ensure they are graduated at least.
- i. The Election Commission was generous in giving permission to national and international level observers for observing the CA election. There were no criteria developed for issuing permission to about 150 groups. This resulted in the over-presence of observer groups on the Election Day. And it was also found that some of them did not follow the code of conduct. Criteria for permitting observer groups should be developed to enable the corps of Observers function efficiently and unobtrusively.

7.2.3 The Government

- a. Peace and security can be ensured not only by mobilizing the police force; it should be harmonized with the political, economic, social environment.
- b. The quality of security personnel should be improved in the future elections.
- c. Security for all during the election period should be the mission. Any particular political party or candidate should not influence the security agency.
- d. It will be better if security personnel are appointed from among ex-police and ex-army personnel.
- e. To update the voters' list and to add new names, reference to the three generations should be checked properly.
- f. Security personnel could not guard the ballot boxes in some places which were entrusted to them after the conclusion of the polling. The state should make adequate arrangements for the safe custody of ballot boxes during transportation and until the time of vote counting.
- g. The officials assigned to election and the observers were deprived of using their voting right. This should be corrected during the next elections by making proper arrangement for them to use their voting right.

7.2.4 The Civil Society

Civil Society should exercise high degree of vigilance to ensure that the State, political parties, candidates and other stakeholders are conscious of their responsibility at the time of election and the elections are conducted in free, impartial and fearless environment. Civil society should not operate like the sister organization of any political party. Civil society members should not support the cause of any one political party, either directly or indirectly.

7.2.5 The Media

Mass Media should publish news with higher degree of objectivity and impartiality. They should help empower the deprived classes, such as, the Madheshi, aboriginal people, ethnic groups, untouchable castes, by highlighting their voices. They should advocate fearless election environment. They should endeavour to raise the problems of the voters who are suffering from trauma of the armed conflict.

Media should give regular priority to eliminating causes of disparity and grievances of the citizen during pre and post election time.

7.2.6 Observing Organization and Observers

About 60 thousand observers had opportunity to observe the polls through the network of a number of organizations spread all over the country. In the observers groups, there was variation in the participation that included skilled to non-skilled observers from just literate to the professor, ex-secretary and ex-ambassador. But some lapses were found in some observers who were not following the code of conduct of the election. There were requirements regarding the academic qualification, age and experience of the observers; however, these were not adhered to in some cases. Election Commission's efforts to ensure adherence to the code of conduct during the CA election was not fully successful. The following points should be considered regarding observers in future elections.

- a. The age of national and district level observers should be 25 years minimum and they must be holders of bachelor degree at least.
- b. Local level observers should be of 20 years old and their qualification should be SLC at least.
- c. Political party cadres should strictly be prohibited from participation as an observer.
- d. Criteria must be determined for observer groups/organizations, and their network/alliances. ■

General Election Observation Committee, Nepal

Secretariat



Mr. Bikash Ghimire
Program Coordinator



Ms. Sujan Lopchan
Program Officer



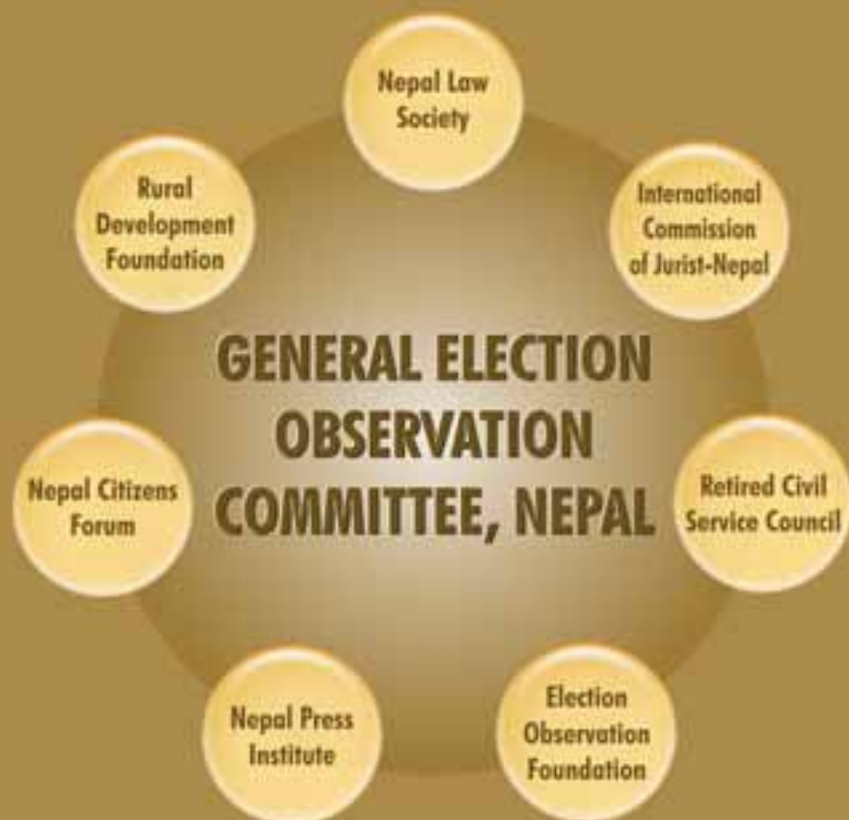
Mr. Subash Paudel
Program Officer



Mr. Ganeshman Pradhan
Account Officer



Mr. Bhawani Kayastha
Computer Operator



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